

city of diversity
city of affordability
city of neighbors
city of housing opportunity
city of families

BK CB 18 Proposal Overview

May 30, 2024





Overview

City of Yes for Housing Opportunity

This **citywide text amendment** would make it possible to build **a little bit more housing** in every neighborhood

“**A little more housing in every neighborhood**” means we can make a big impact on the housing shortage without dramatic change in any one neighborhood

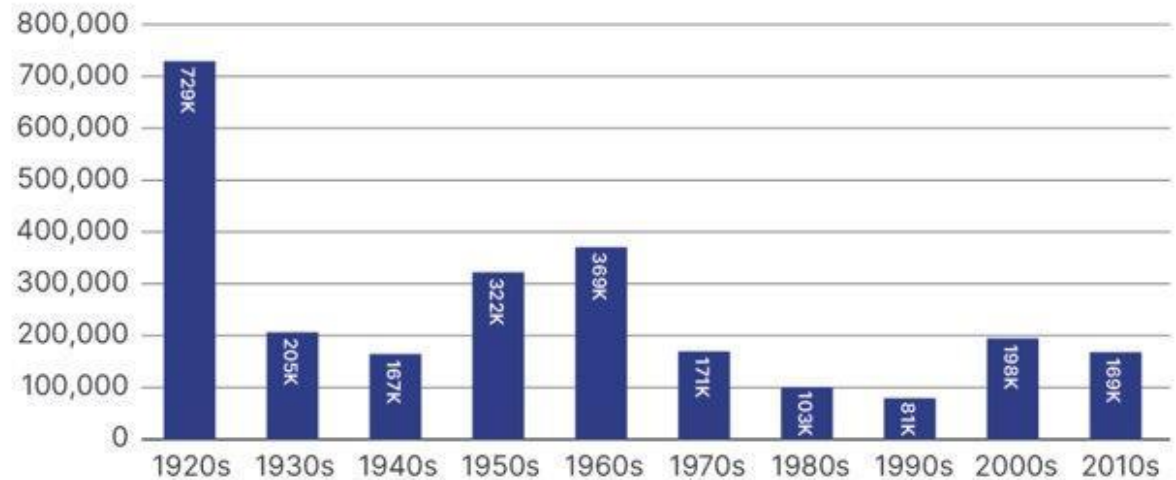
NYC is not building enough housing to meet New Yorkers' needs

New York City is creating far less housing than it used to

At the same time, average household size is declining so we need more homes to house people

The housing shortage is due in part to restrictive zoning rules that limit the number and types of homes that can be built

New Housing Production by Decade



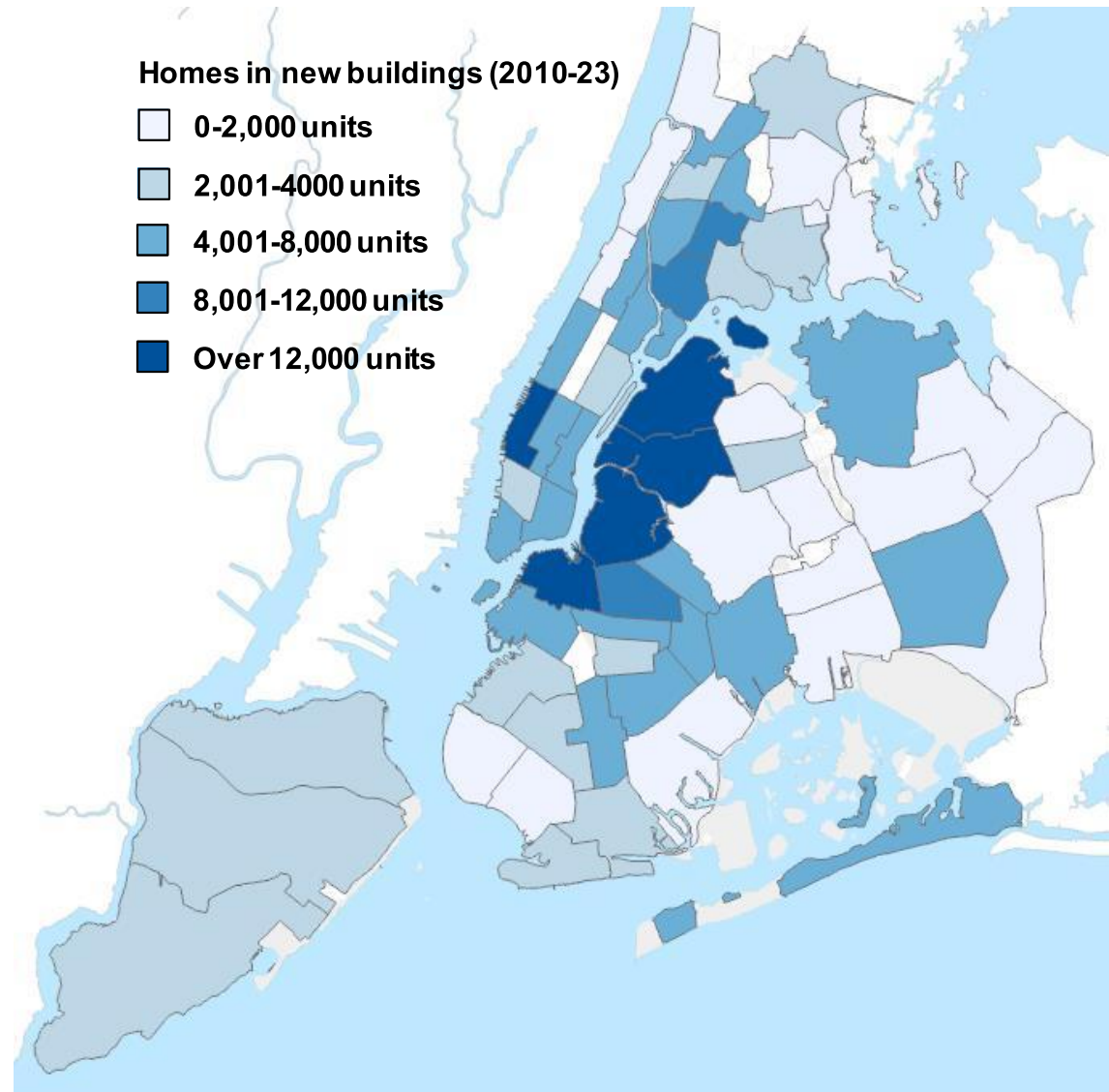
Overview

New housing is concentrated in just a few neighborhoods

Almost all of New York City's recent housing production has been concentrated in a few neighborhoods

Some neighborhoods have created virtually zero new housing

This puts additional pressure on just a few parts of the city to produce almost all new housing



Overview

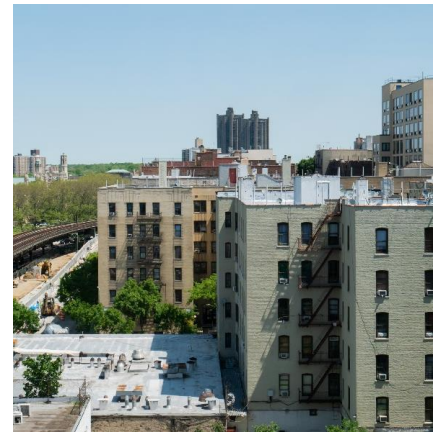
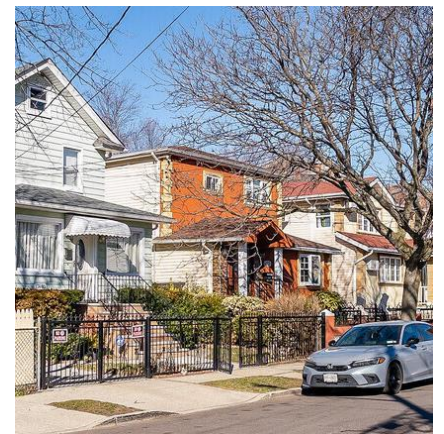
Zoning is one tool to address NYC's housing shortage

Zoning regulates the density and use of what is permitted to be built

- Zoning can include requirements for income-restricted affordable housing
- Zoning does not directly build or fund new housing
- Zoning is within the city's control

Other tools to support housing include:

- Subsidies and tax incentives to create affordable housing
- Support for homeownership models
- Tenant protections

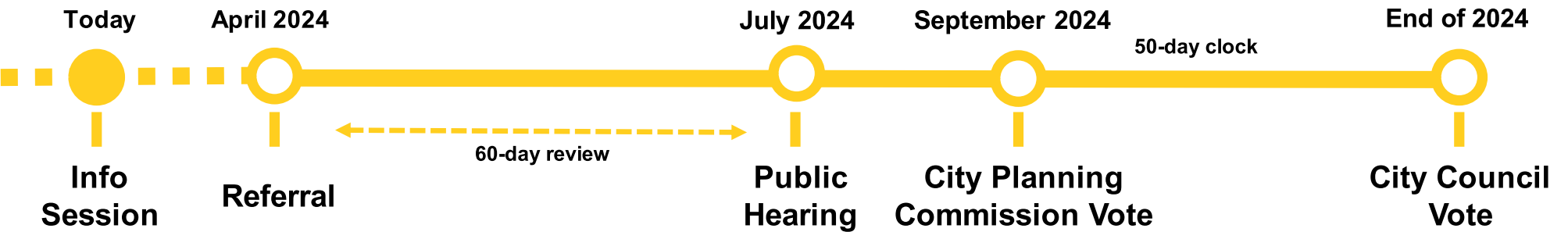




City of Yes for Housing Opportunity

Stay in touch!

Email the project team at **HousingOpportunity@planning.nyc.gov** with questions, concerns, and to be signed up for email alerts on this project.



Approximate schedule of public review, for illustrative purposes only

Housing Opportunity

How to provide feedback

To assist in your review of these proposals, we have prepared a checklist of components of the proposal which you may use to indicate which parts you support or do not support and why.





The use of this checklist is completely optional, but it is designed to help you manage and communicate your consideration of the various components of the proposal, and to enable us to best understand and absorb your feedback.

You may use this optional checklist, along with any other material you prepare for your recommendations and upload the material to the Land Use Participant (LUP) Portal when you submit your recommendations.

City of Yes for Housing Opportunity

Instructions: This worksheet is for anyone who chooses to express their support or concerns. If you choose to complete this optional worksheet, please review each part of the proposal. Check the box to express whether you support or do not support that specific goal or project component. You can leave notes in the comments section.

Low-Density

	Support	Do Not Support
Town Center Zoning  Re-introduce buildings with groundfloor commercial and two to four stories of housing above, in areas where this classic building form is banned under today's restrictive zoning.	<input type="checkbox"/>	<input type="checkbox"/>
Transit-Oriented Development  Allow modest, three-to-five story apartment buildings where they fit best: large lots within half a mile of subway or Rail stations that are on wide streets or corners.	<input type="checkbox"/>	<input type="checkbox"/>
Accessory Dwelling Units  Permit accessory dwelling units such as backyard cottages, garage conversions, and basement apartments.	<input type="checkbox"/>	<input type="checkbox"/>
District Fixes  Give homeowners additional flexibility to adapt their homes to meet their families' needs.	<input type="checkbox"/>	<input type="checkbox"/>

Overview

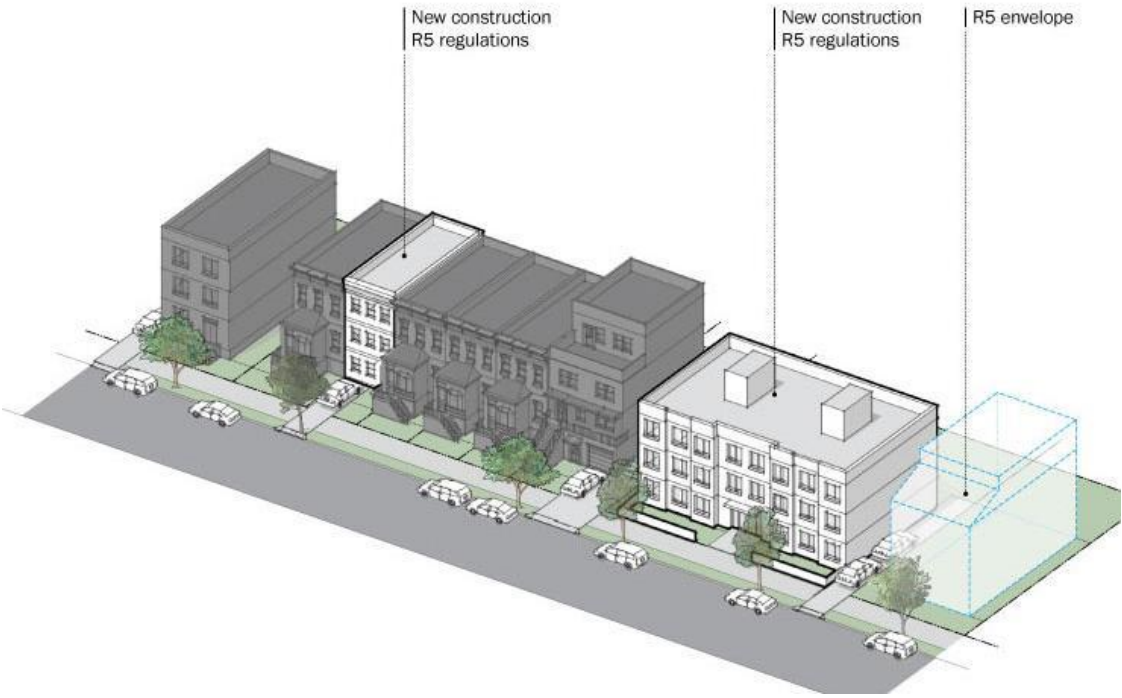
Zoning 101

Example: 1070 Bergen Avenue

R5

Type
R C M
 Uses or activity

Density
1-10
 Bulk, Height, Massing or
 SIZE and SHAPE



Low-Density Non-Contextual Residence District

R4		Lot Area	Lot Width	Front Yard	Rear Yard	Side Yards			Lot Coverage	FAR	Perimeter Wall/ Building Height	DU Factor	Required Parking	
		min.	min.	min.	min.	#	Each	Total	max.	max.	max.	870	Standard	IRHU
Single- and Two-Family	Detached	3,800 sf	40 ft			2	5 ft	13 ft	45%	0.75	25/35 ft	870	1 per DU	50% of IRHU
	Semi-Detached	1,700 sf	18 ft	10 ft	30 ft	1	8 ft	8 ft						
Multi-Family	All					2	8 ft	16 ft						

What would City of Yes for Housing Opportunity do?

Enable modest apartment buildings with town-center zoning and transit-oriented development



Help homeowners by giving them flexibility to create a **small accessory dwelling unit** on their lot



Eliminate costly parking mandates to prioritize housing in accessible areas



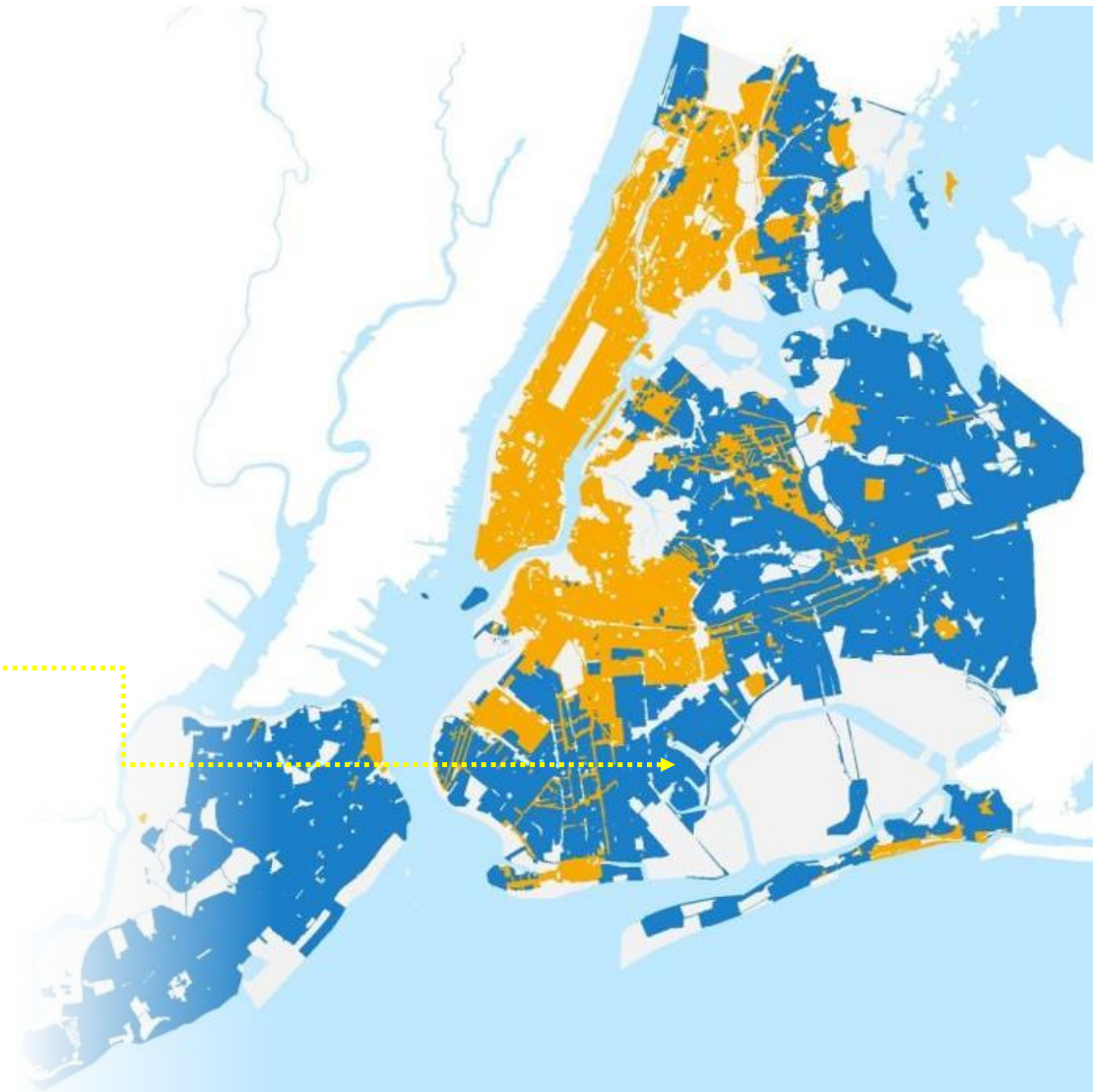
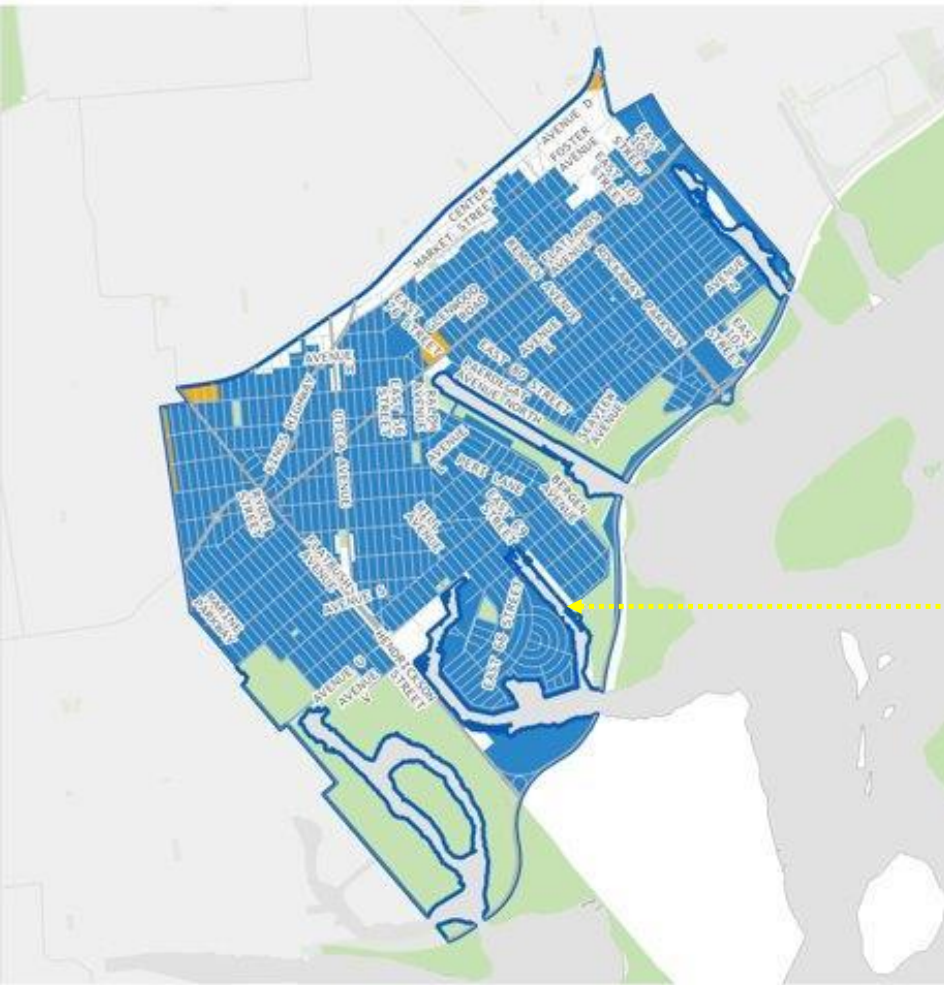
Create a Universal Affordability Preference to incentivize income-restricted housing



Other proposals include enabling **conversion of non-residential buildings, small and shared apartments**, and making it easier for **campuses to add new buildings**

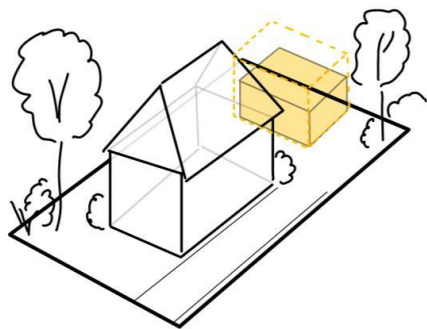
Brooklyn CD 18

Residential Density Map



Proposal overview

Low-density proposals to allow for housing flexibility



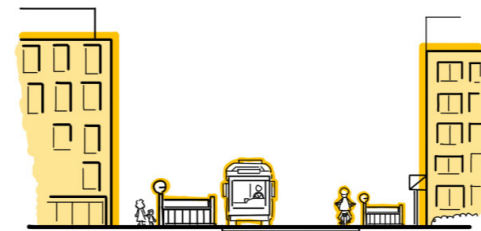
Help homeowners by providing additional flexibility and allowing **accessory dwelling units**



Providing homeowners flexibility with **District Fixes**

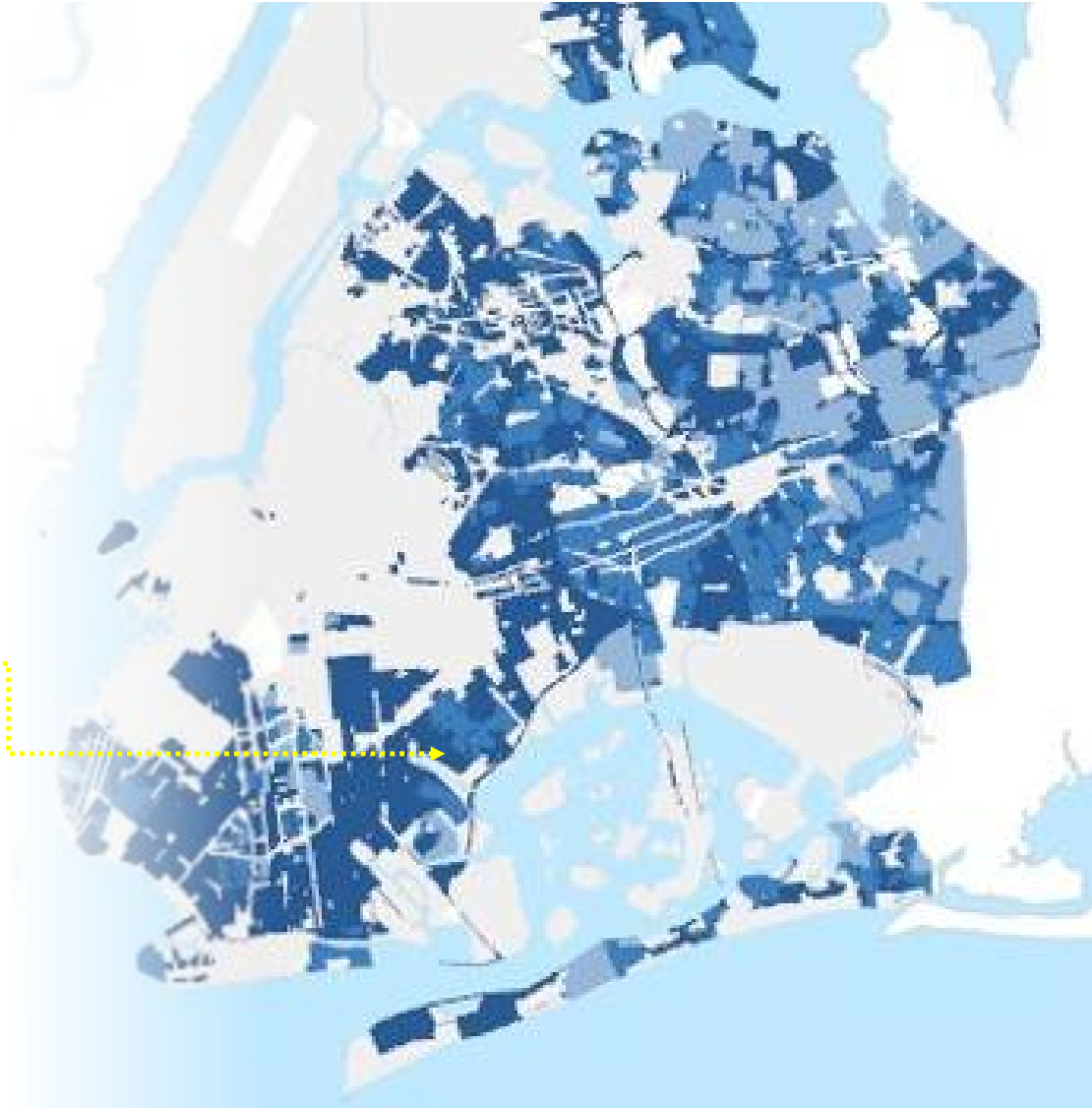
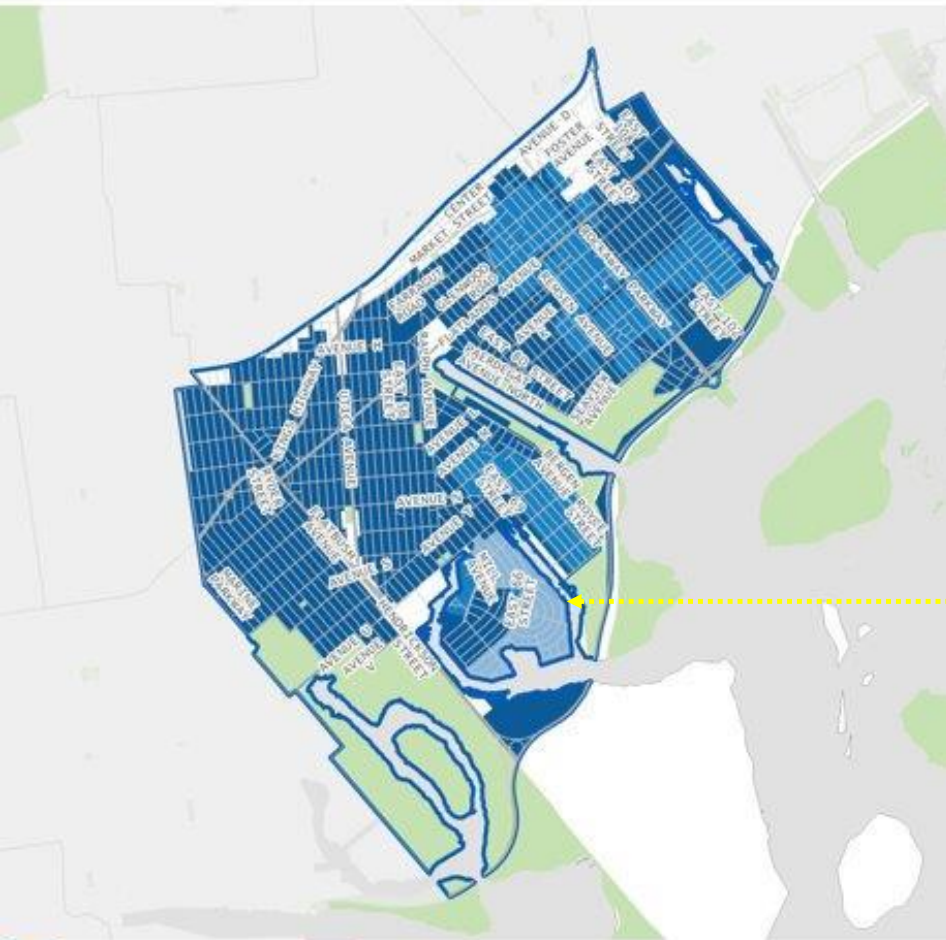


Including **town center zoning** in commercial corridors to permit building 2-4 stories of residential use



and **transit-oriented apartment buildings on large sites**

Brooklyn CD 18 Low Density District Map



- Community District
- 1-family districts
- 2-family districts
- LD multi-family districts

Low-density areas

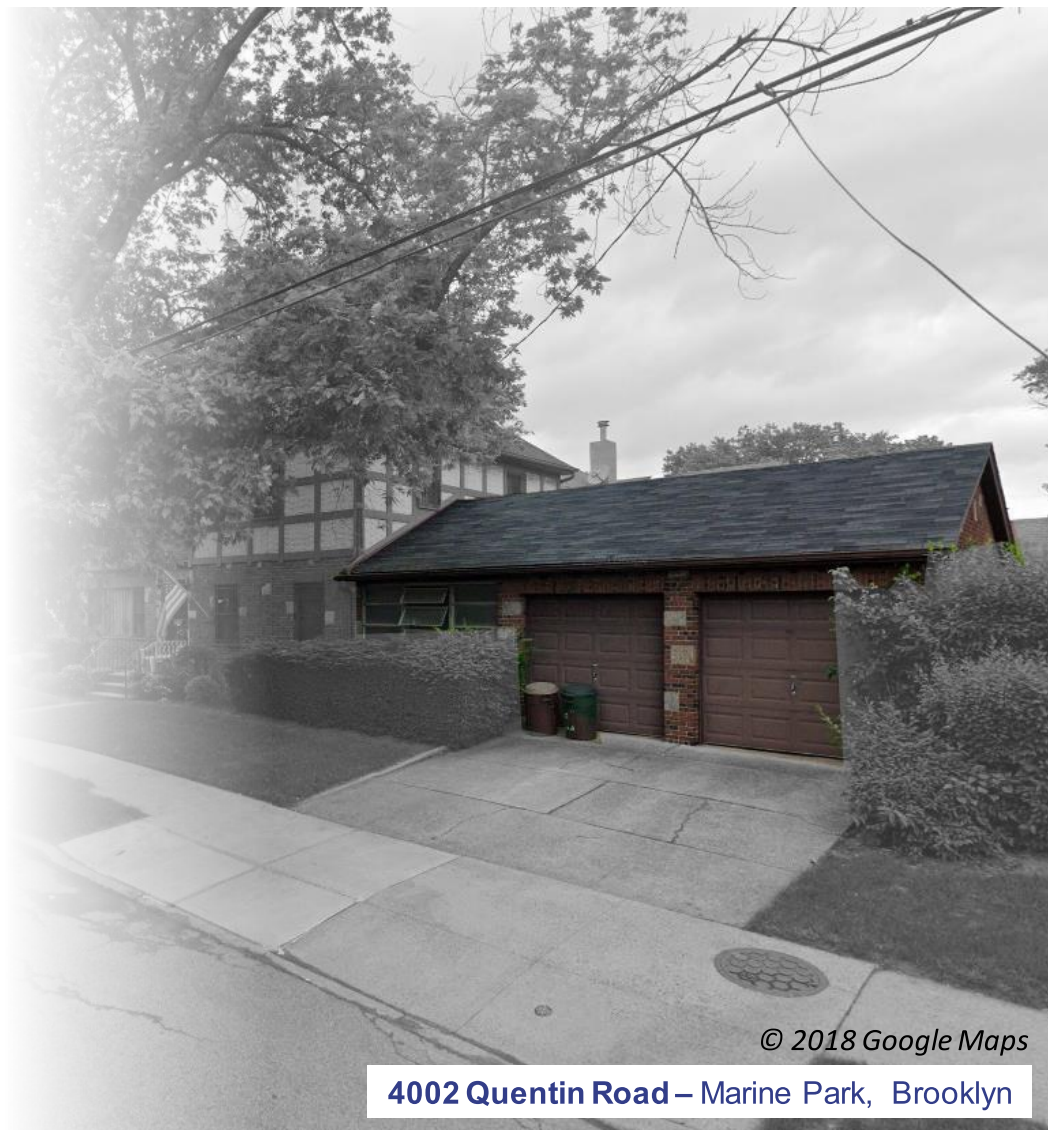
Applicable

Accessory Dwelling Units*

Allow 1- or 2-family homes to add a small accessory dwelling unit (ADU)

- ADUs provide important housing options for small households in low-density areas
- ADUs give multi-generational families more space and help homeowners pay for household expenses
- Many other cities have already legalized ADUs and experienced these benefits

Legalizing existing basement ADUs is not only a matter of zoning and would require changes to other state and local laws



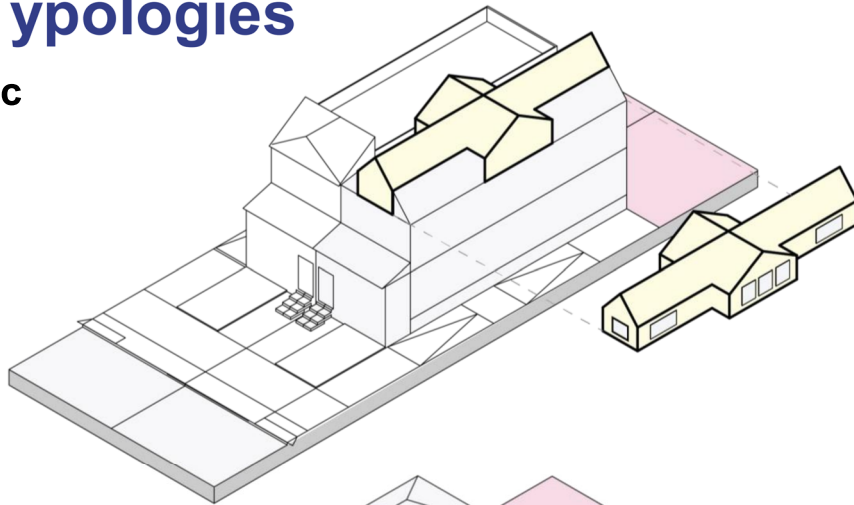
© 2018 Google Maps

4002 Quentin Road – Marine Park, Brooklyn

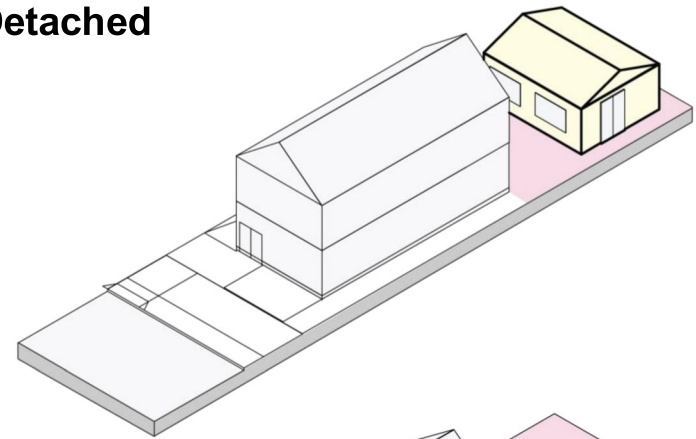
Low-density areas

ADU Typologies

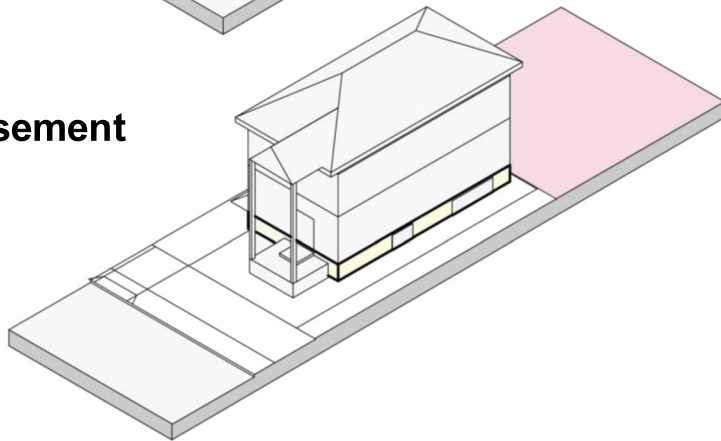
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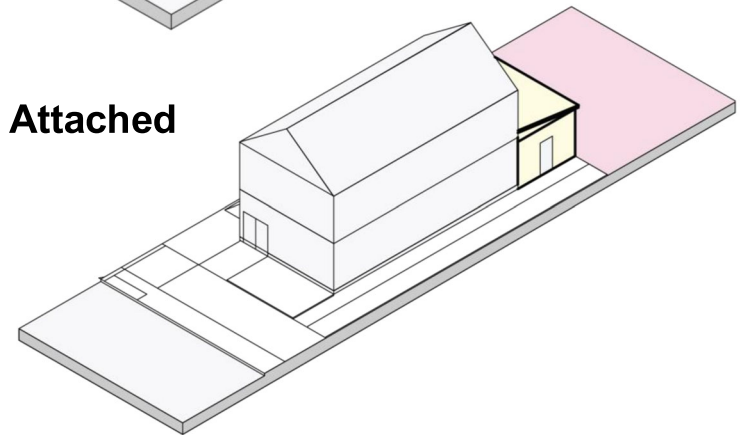
Detached



Basement



Attached



Low-density areas

ADU Criteria

5 feet from the lot line, and 10 feet from other buildings

Detached ADU will have a height limit of 2 stories

Limited to 800 SF

Only one allowed per 1 or 2 family home

Comply with building codes and multiple dwelling laws



Low-density areas

Applicable

District Fixes

Bring existing one and two-family homes and small apartment buildings into compliance, while providing more flexibility by loosening up zoning restrictions

- Reducing rear and side yard minimums
- Increase Height Allowances
- Increase FAR by a small proportion to permit a larger zoning envelope
- Minimum lot sizes

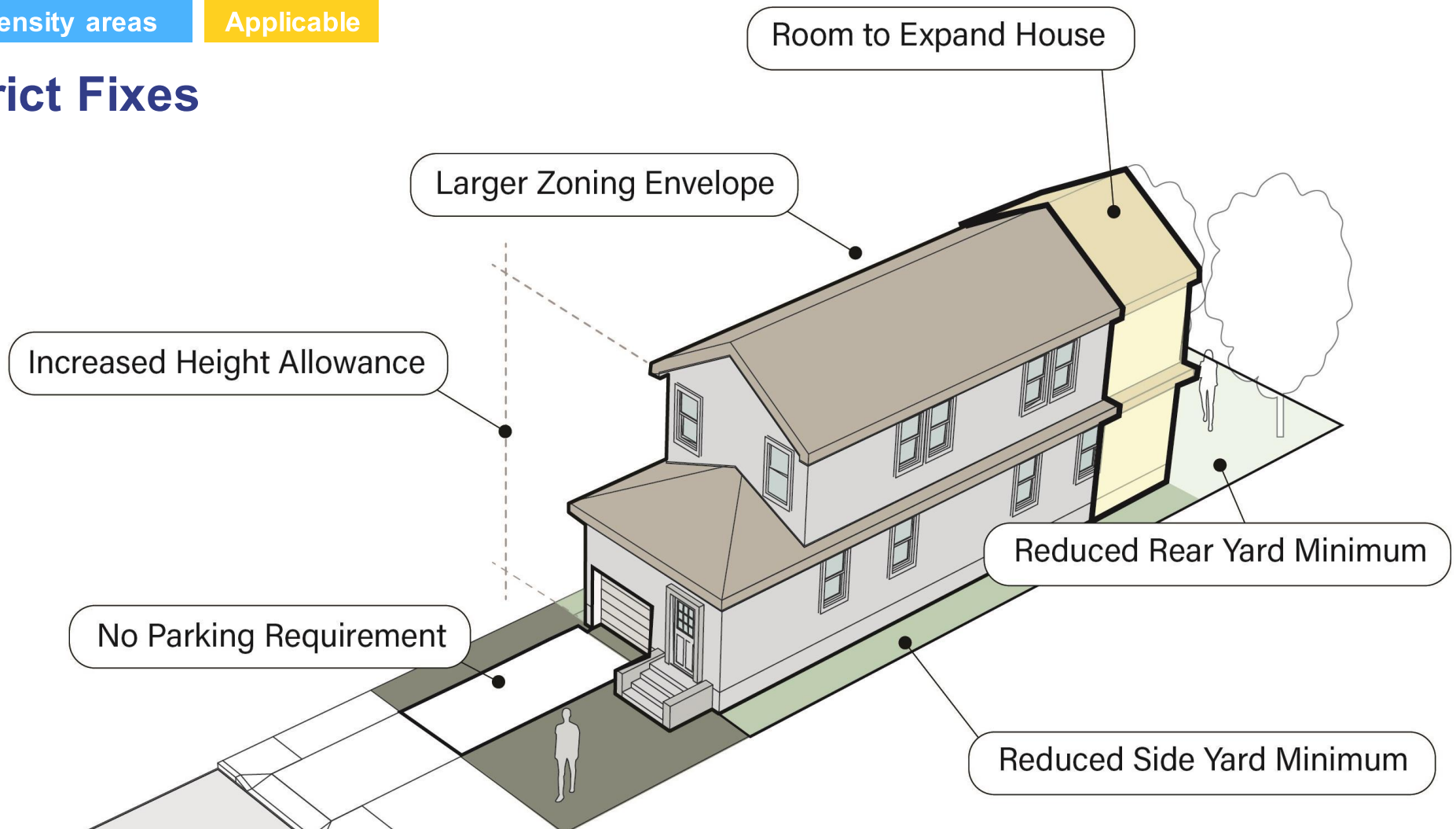
These changes would make it easier to build a two-family home in a two-family district or a small, multi-family home in a multi-family district



Low-density areas

Applicable

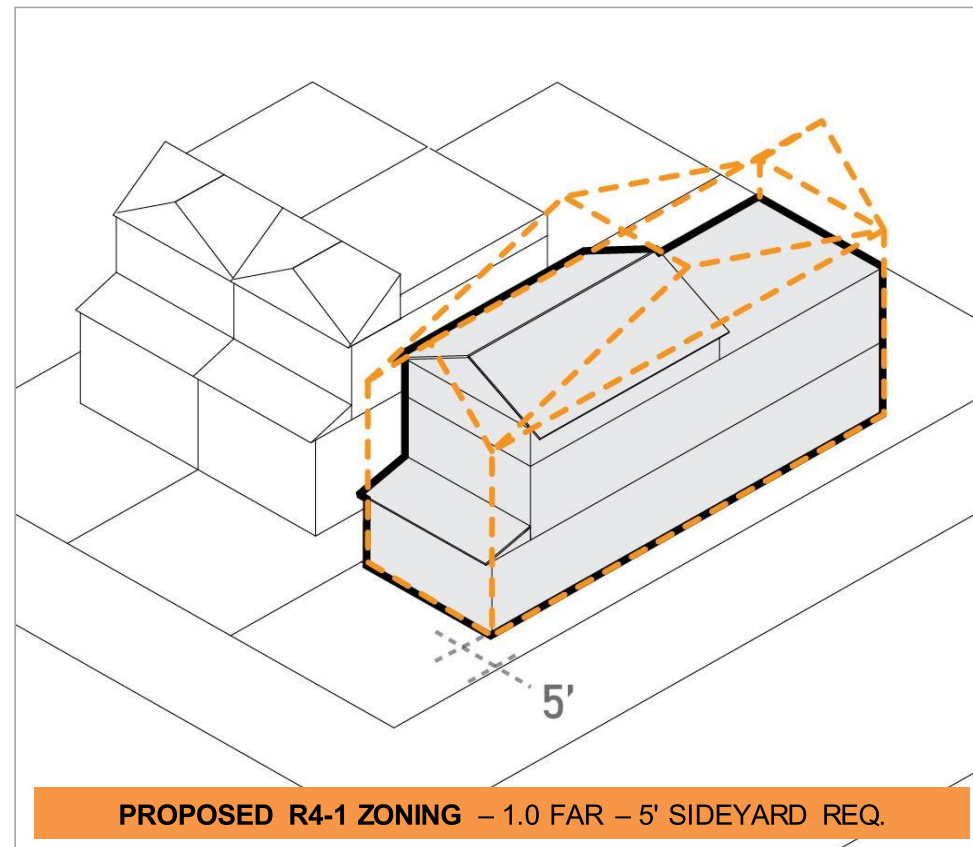
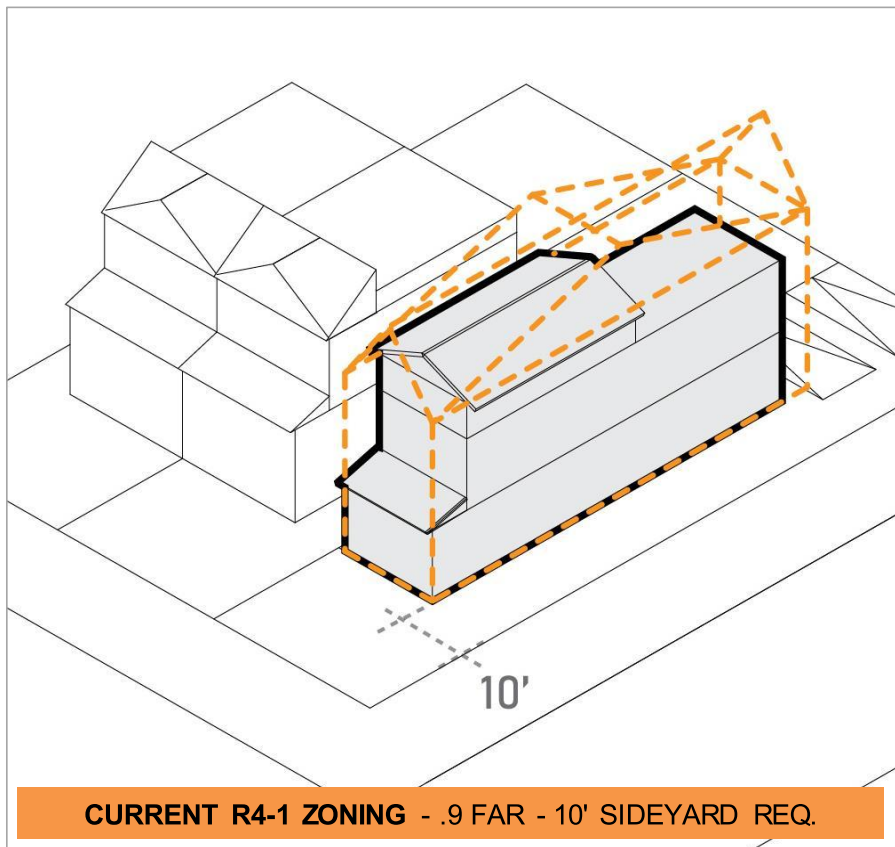
District Fixes



Low-density areas

Applicable

District Fixes



Low-density areas

Applicable

District Fixes

The table below shows the maximum FAR and lot size changes as well as the base building heights and maximum building heights for each zoning district. In gray are the proposed zoning changes that would expand flexibility to build more housing in these districts.

		Min. Lot Size		Min. Lot Width		FAR		Max Base Height		Max Height		
		Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed	
Single-Family Districts	R1-1	1-family detached	9,500	4,750	100	50	0.50	0.75	25	25	25	35
	R1-2		5,700	4,750	60	50	0.50	0.75	25	25	25	35
	R1-2A		5,700	4,750	60	50	0.50	0.75	25	25	35	35
	R2X		2,850	2,850	30	30	1.00	1.00	21	25	35	35
	R2		3,800	2,850	40	30	0.50	0.75	25	25	25	35
	R2A		3,800	2,850	40	30	0.50	0.75	21	25	35	35
Two-Family Districts	R3-1*	1 & 2-family detached or zero lot-line	3,800	2,375	40	25	0.60	0.75	21	25	35	35
	R3A		2,375	2,375	25	25	0.60	0.75	21	25	35	35
	R3X	1 & 2-family detached	3,325	2,850	35	30	0.60	0.75	21	25	35	35
	R4-1*	1 & 2-family detached or zero lot-line	2,375	2,375	25	25	0.90	1.00	25	25	35	35
	R4A	1 & 2-family detached	2,850	2,375	30	25	0.90	1.00	21	25	35	35
	R4B*	1 & 2-family detached or zero lot-line	2,375	2,375	25	25	0.90	1.00	--	--	24	25
	R5A	1 & 2-family detached	2,850	2,375	30	25	1.10	1.50	25	25	35	35
Multi-Family Districts	R3-2*	1 & 2-family detached or zero lot-line	3,800	2,375	40	25	0.60	0.75	21	25	35	35
	R4*		3,800	2,375	40	25	0.90	1.00	25	25	35	35
	R5*		3,800	2,375	40	25	1.25	1.50	30	35	40	45
	R5B*		2,375	2,375	25	25	1.35	1.50	30	30	33	35
	R5D*		1 & 2-family detached	2,375	2,375	25	25	2.00	2.00	--	--	40

*If other permitted housing type not listed in table no change to minimum lot size at 1,700 square feet and no change to minimum lot width at 18 feet.

Town Center Zoning

Relegalize housing above businesses on commercial streets in low-density areas

- Including **town center zoning** in commercial corridors to permit building 2-4 stories of residential use

Due to restrictive zoning, most low-density areas have stopped building new homes, contributing to our city's housing shortage

- We want to allow for the creation of a little more housing across low-density areas, in ways that won't impact neighborhood look and feel



5517 Avenue N, Flatlands, Brooklyn

Brooklyn CD 18

TCZ Map



Community District Commercial overlays in low-density districts, where town center zoning applies

Low-density areas

Applicable

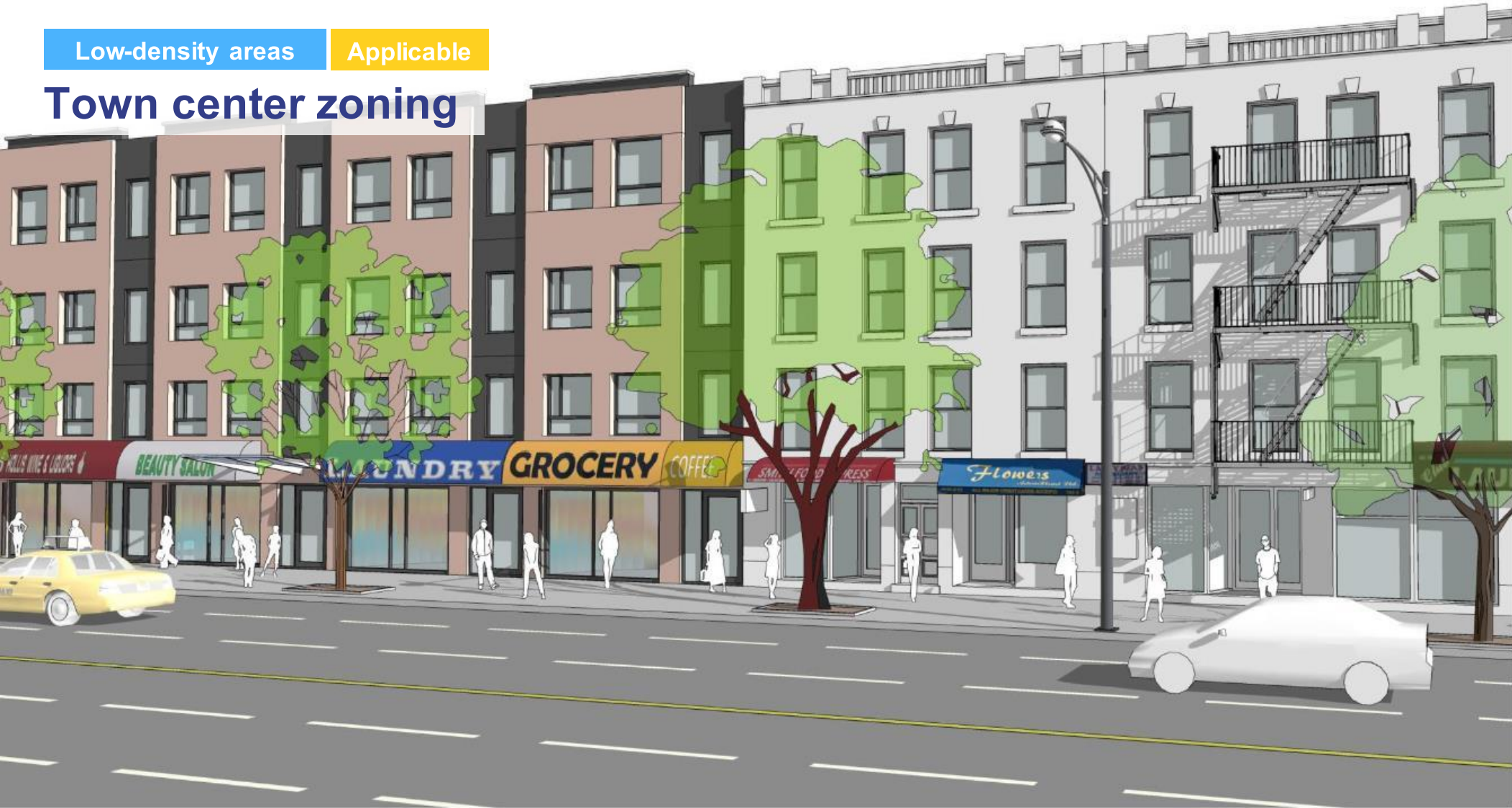
Town center zoning



Low-density areas

Applicable

Town center zoning



Transit Oriented Development

Relegalize housing above businesses on commercial streets in low-density areas

- Current zoning bans this sustainable model of development despite the housing shortage and climate change.
- Adding buildings like these would help address our housing shortage without disrupting neighborhood character.
- It would also provide people with easier access to public transportation.



© 2018 Google Maps

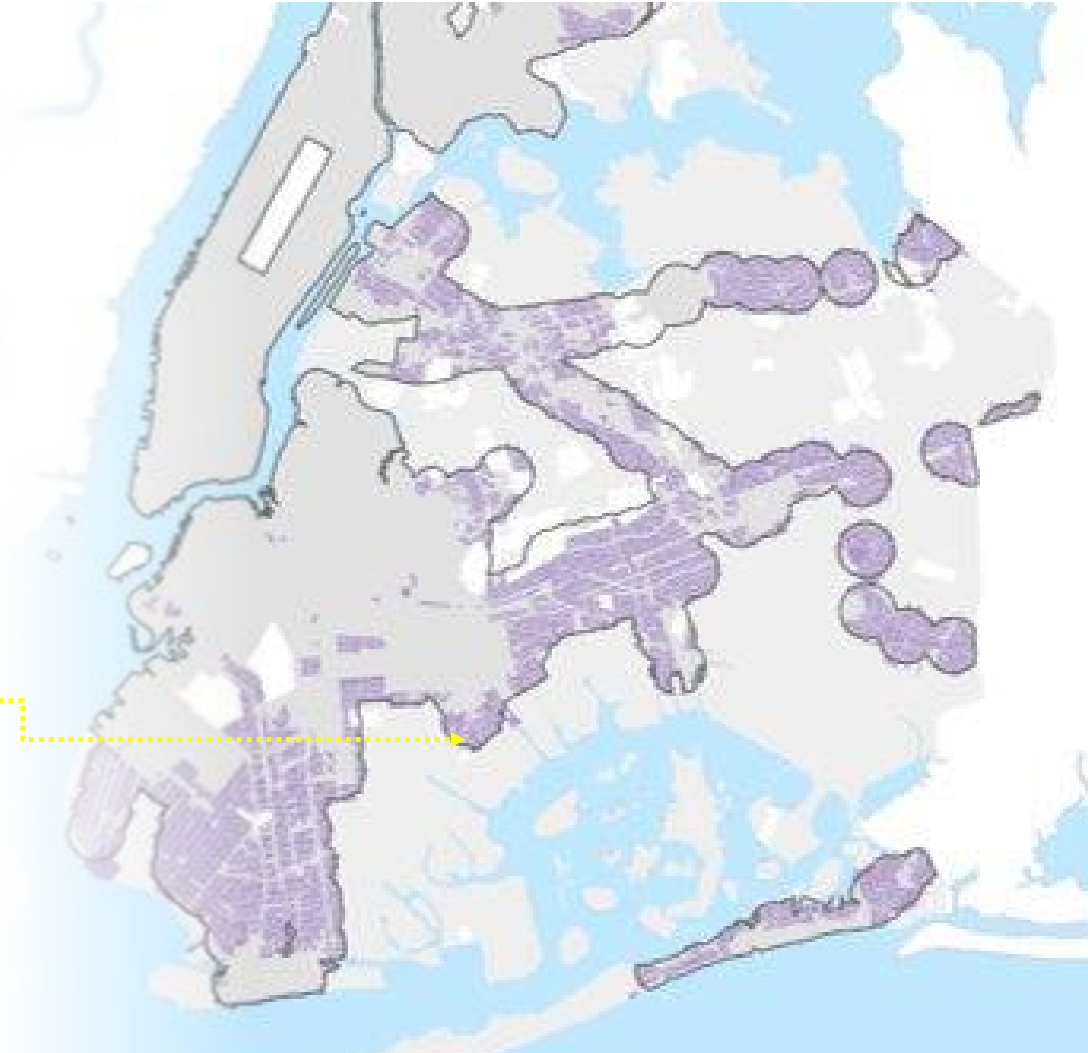
5221 Flatlands Avenue, Flatlands, Brooklyn

Brooklyn CD 18

Transit Zone Map



- Community District
- Low density districts
- Greater Transit Zone



Please note: This map does not include size and street eligibility

Low-density areas

Applicable

Transit-oriented development

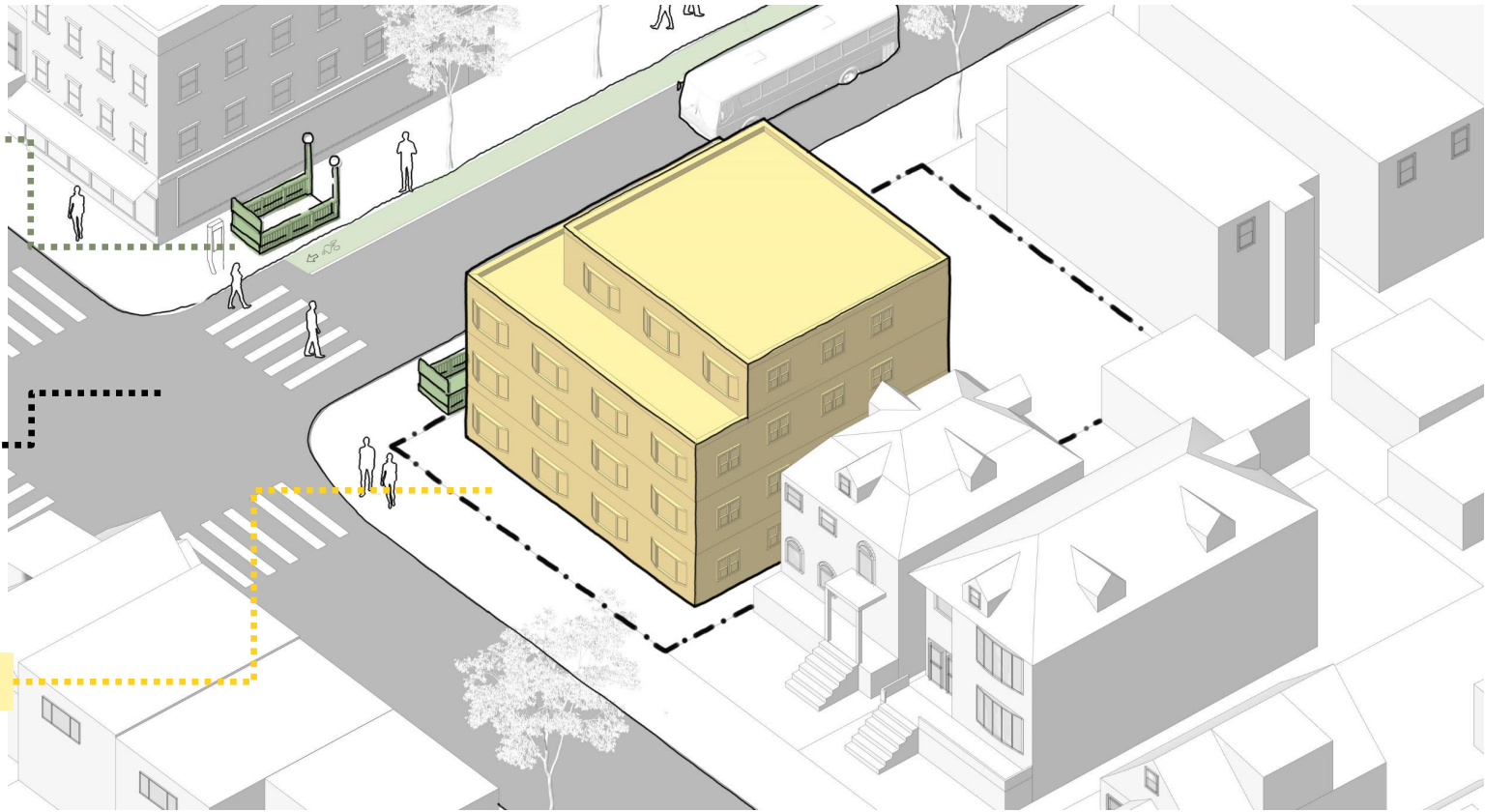
Allow modestly-sized 3-5 story, transit-oriented apartment buildings in low-density residence districts

Siting Criteria

1/2 mile away
from Transit

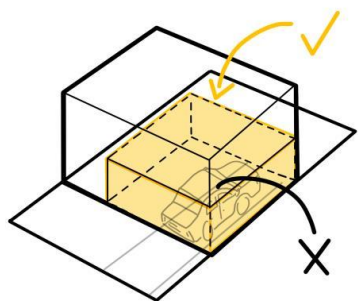
On the short end of
the block OR facing a
street over 75 feet
wide

Over 5,000 SF

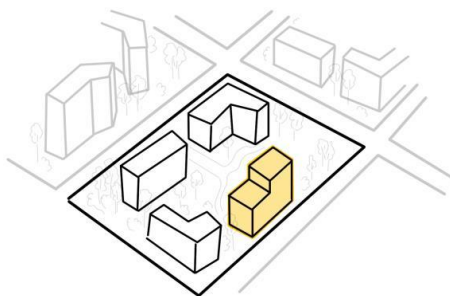


Proposal overview

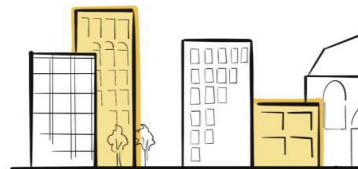
Citywide proposals



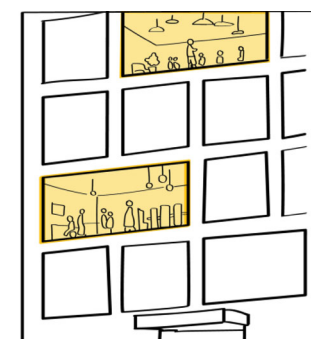
Lift costly parking mandates for new housing



Make it easier to add new housing on large sites or **Campus Infill**



Make it easier for underused, **non-residential buildings** to be converted into housing



Re-introduce small and shared housing with shared kitchens or other common facilities.

End parking mandates

Make parking optional in new buildings, as many other cities have done

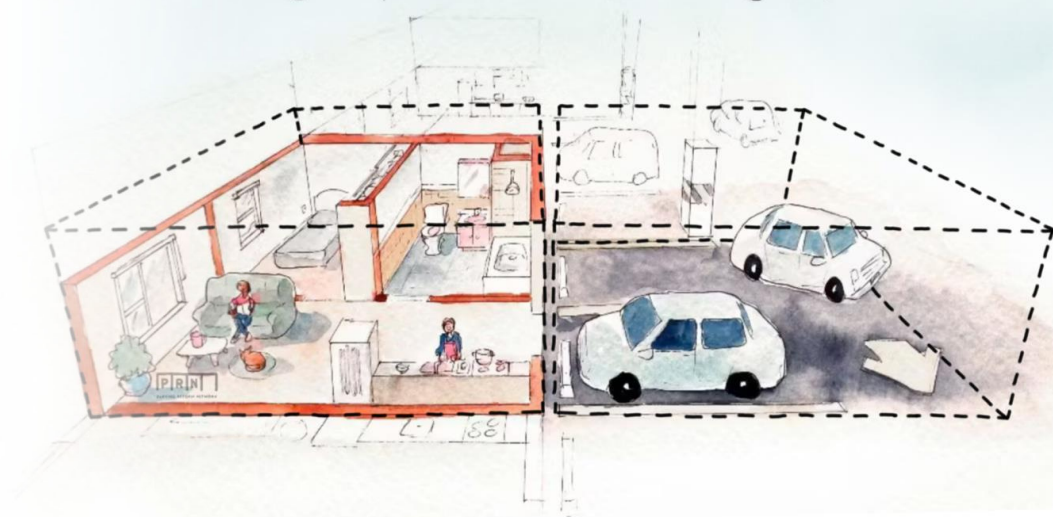
Mandated parking is extremely expensive to provide

- These costly mandates drive up rents and prevent new housing from being built
- This is an obstacle to housing growth, especially affordable housing

Parking will still be allowed, and projects can add what is appropriate at their location

- Outdated zoning rules do not reflect current conditions

Living Space vs. Parking Space



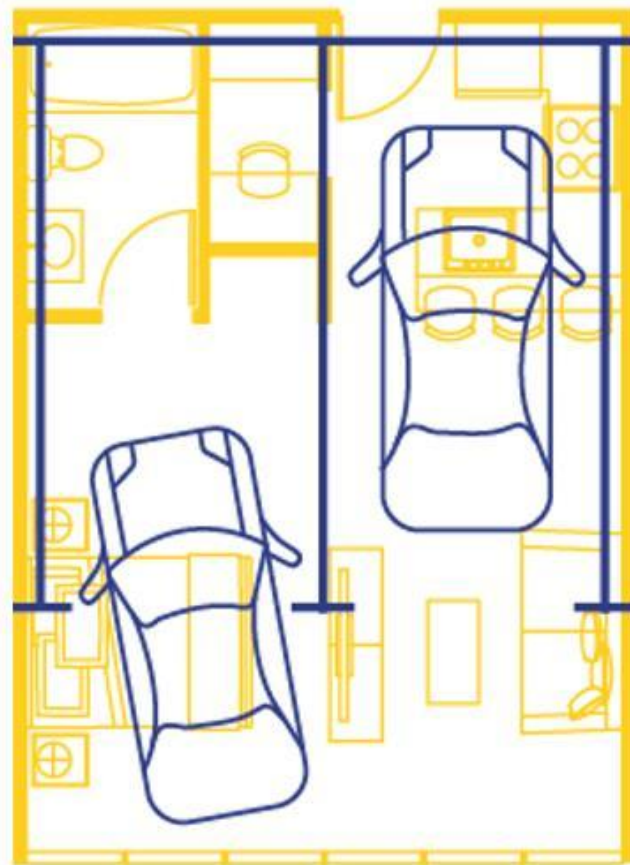
End parking mandates

Remove parking as a barrier to adding housing, especially in transit-rich areas

- Parking will still be allowed and projects can add what is appropriate at their location

On average, parking costs \$67,500 per underground spot

- These costly mandates drive up rents and prevent new housing from being built



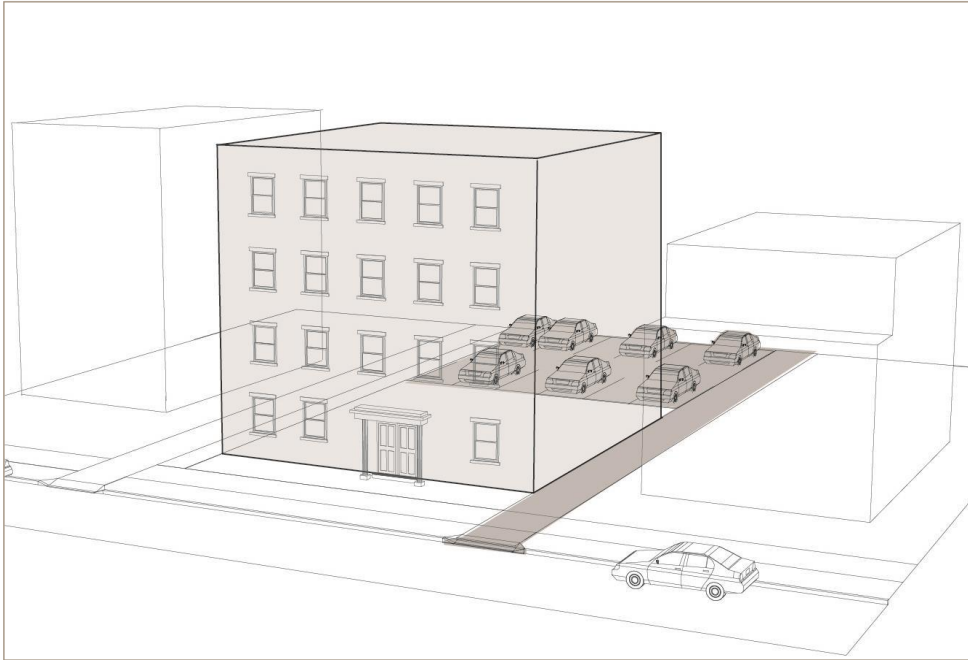
Building parking takes up space and increases construction costs, driving up rent

Parking

Applicable

End parking mandates

Example: A developer wants to build a **16-unit** apartment building a 4-minute walk from the nearest subway station



Today, A developer would need to stop building the housing complex at 10 units, as **11 units would trigger 6 parking spaces** under *current R6 zoning*



The proposal would **remove the required 6 parking spaces**, and would **allow 6 more units** to be built *in R6 zoning*

Contextual Infill

Outdated zoning requires out-of-context buildings

- Today, *many irregular lots* and lots with existing buildings can only build tall and skinny buildings
- “**Height Factor**” zoning from the Urban Renewal era bans contextual, height-limited development



Citywide

Applicable

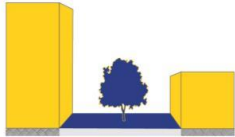
Contextual Infill

Proposal: Simplify rules to remove "height factor" zoning to ensure flexibility for future development



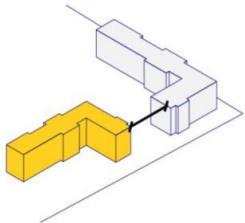
Height-Limited Infill

Campuses would be allowed to add buildings under existing height limits



Lot Coverage

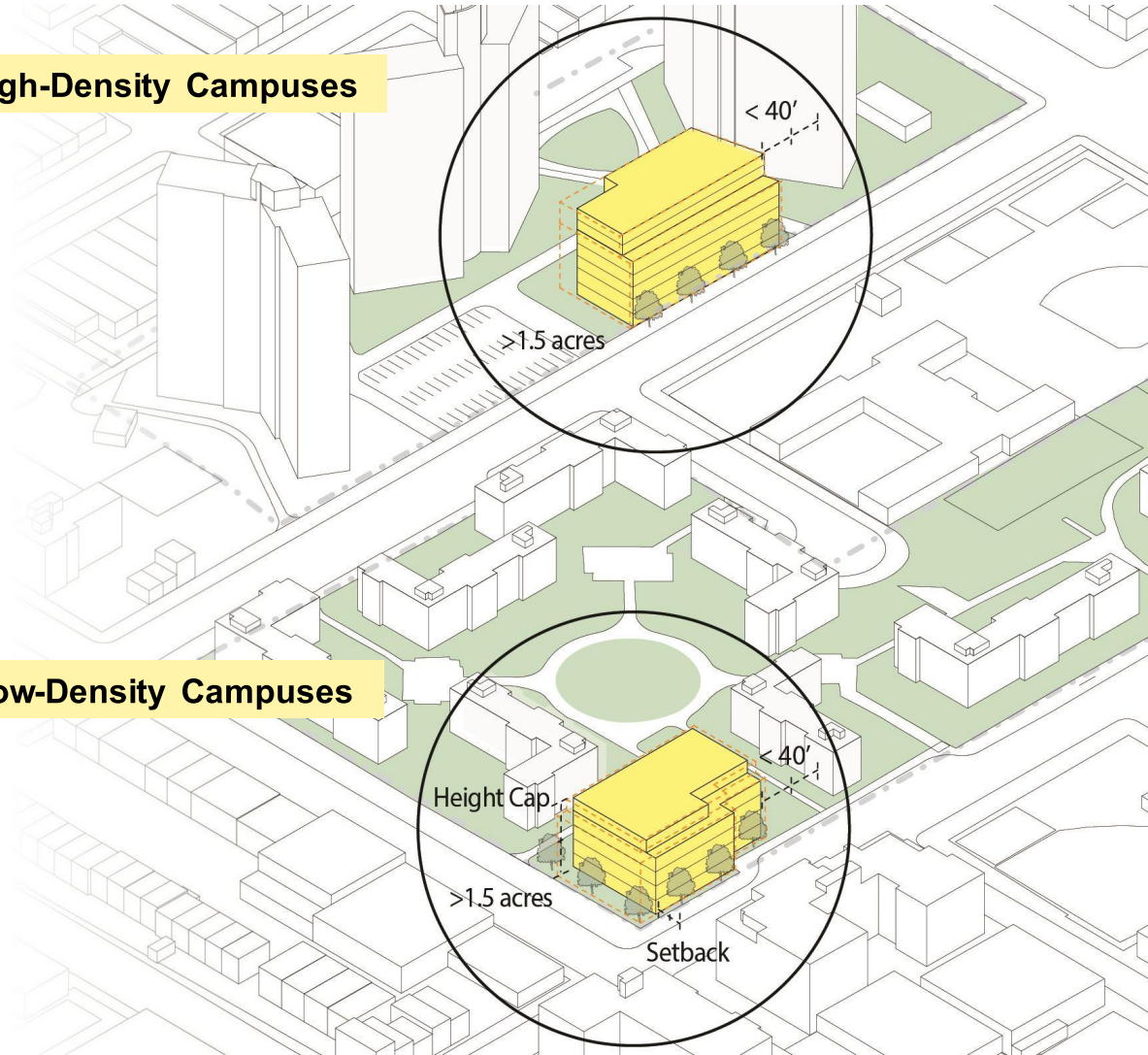
Housing would be allowed on 50% of campus lot area



Distance Between Buildings

The required distance between buildings would be reduced

High-Density Campuses



Low-Density Campuses

Small and shared apartments*

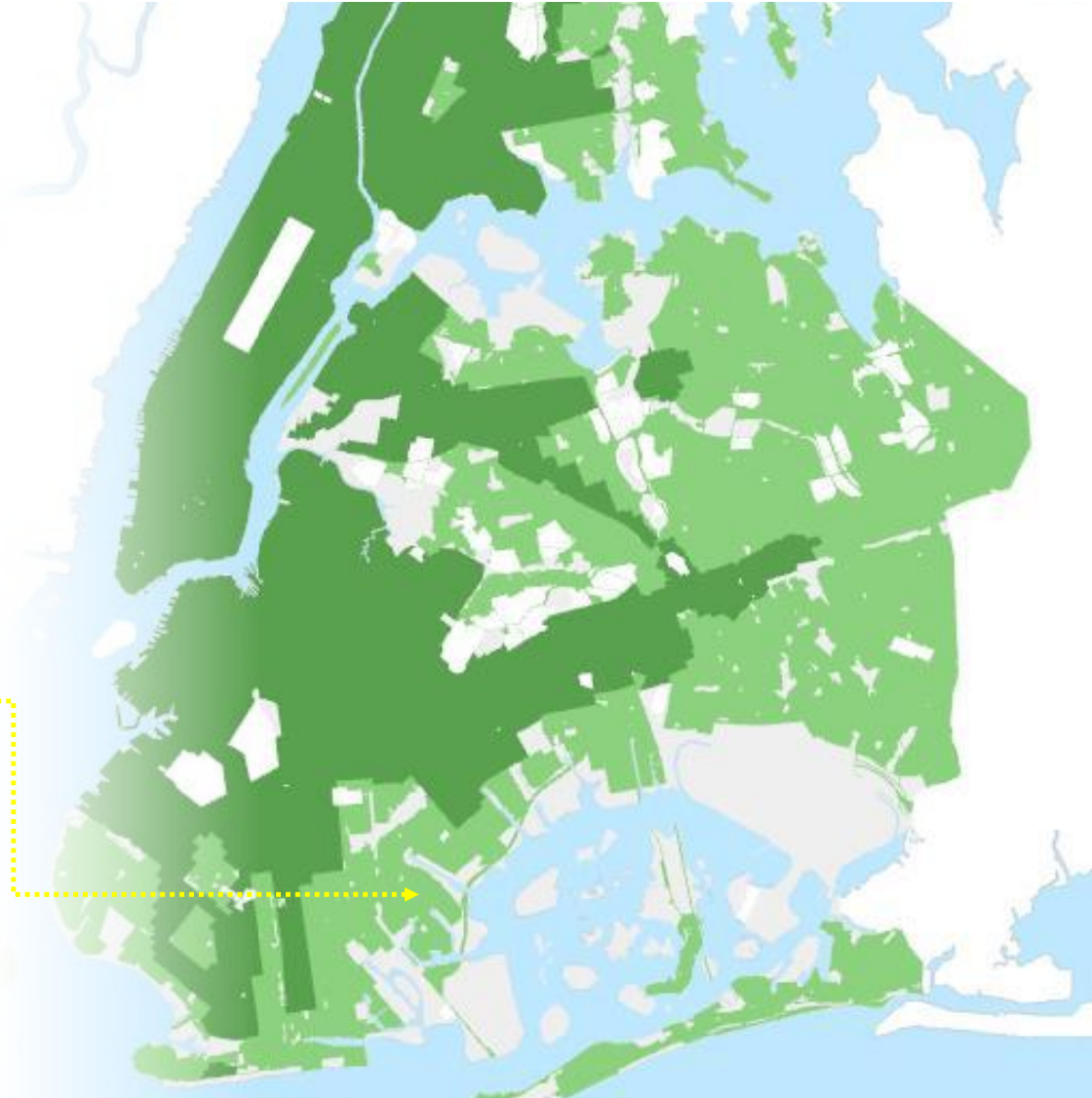
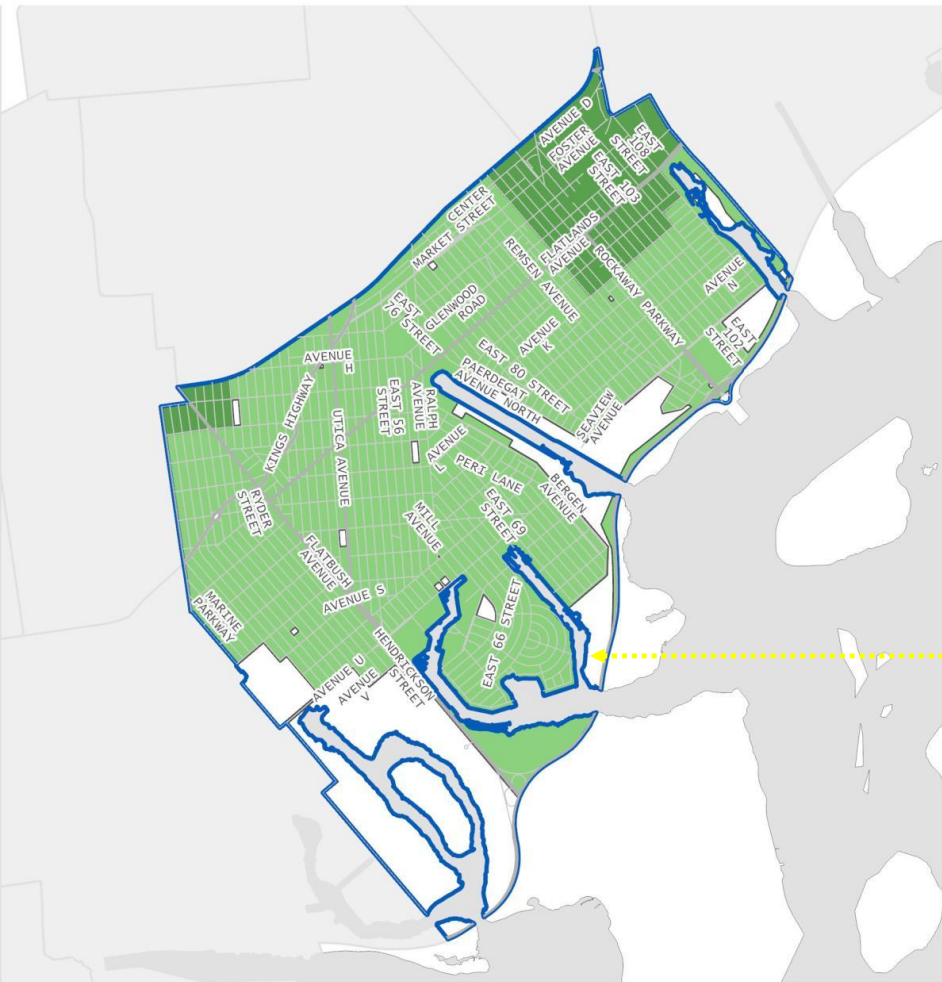
These kinds of homes have historically filled an important role in the housing market but have been made illegal in part due to prejudice and exclusion

Small and shared homes provide important housing options for young people and others who struggle to find low-cost housing options or wish to live alone

Enabling them in central locations can also help ease pressure on family-size homes elsewhere



Brooklyn CD 18 Dwelling Unit Factor Map



- Community District
- Eliminate Dwelling Unit Factor
- Reduce and Simplify Dwelling Unit Factor

Citywide

Applicable

Zoning for shared housing



Conversions of underused non-residential buildings

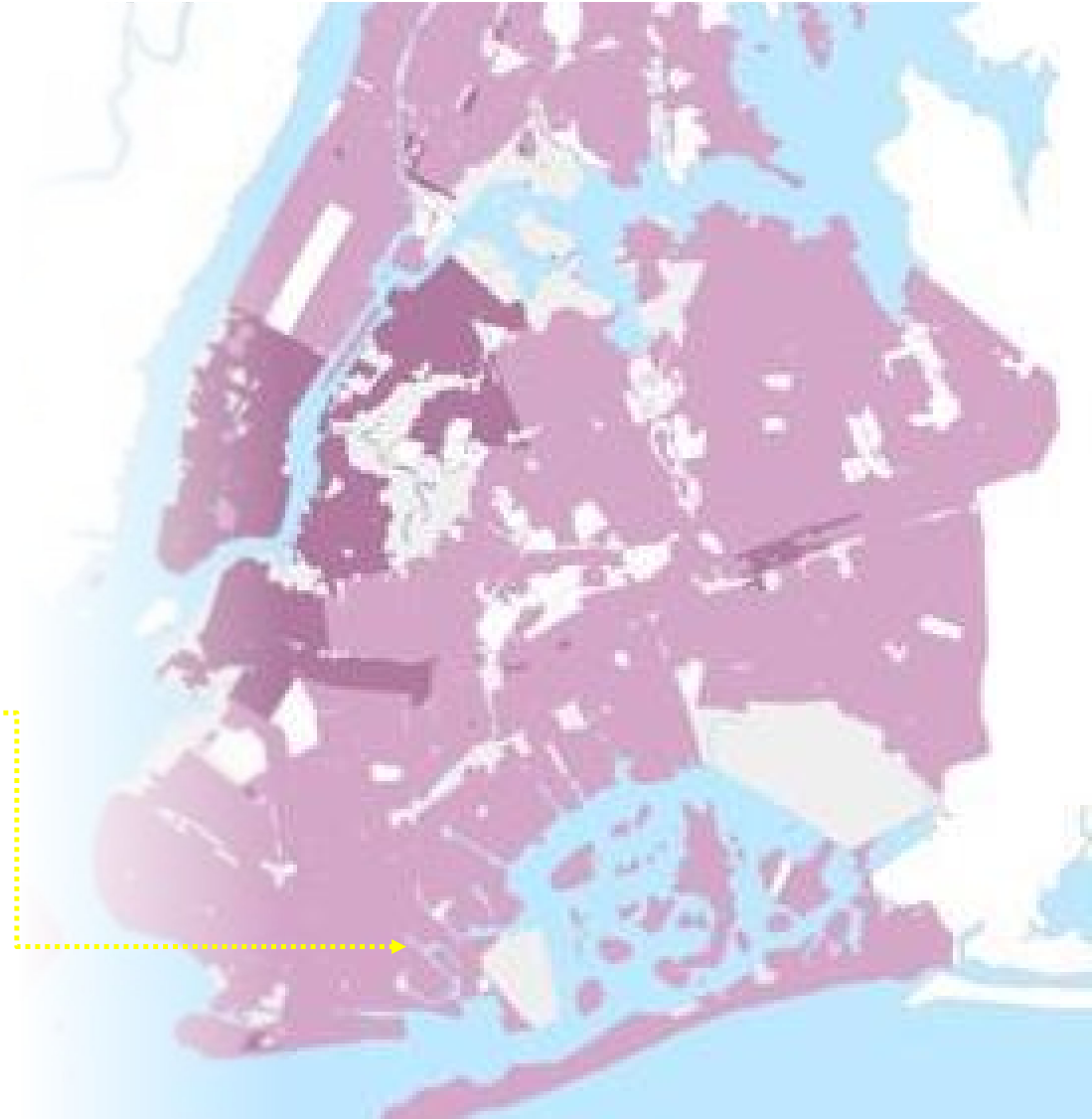
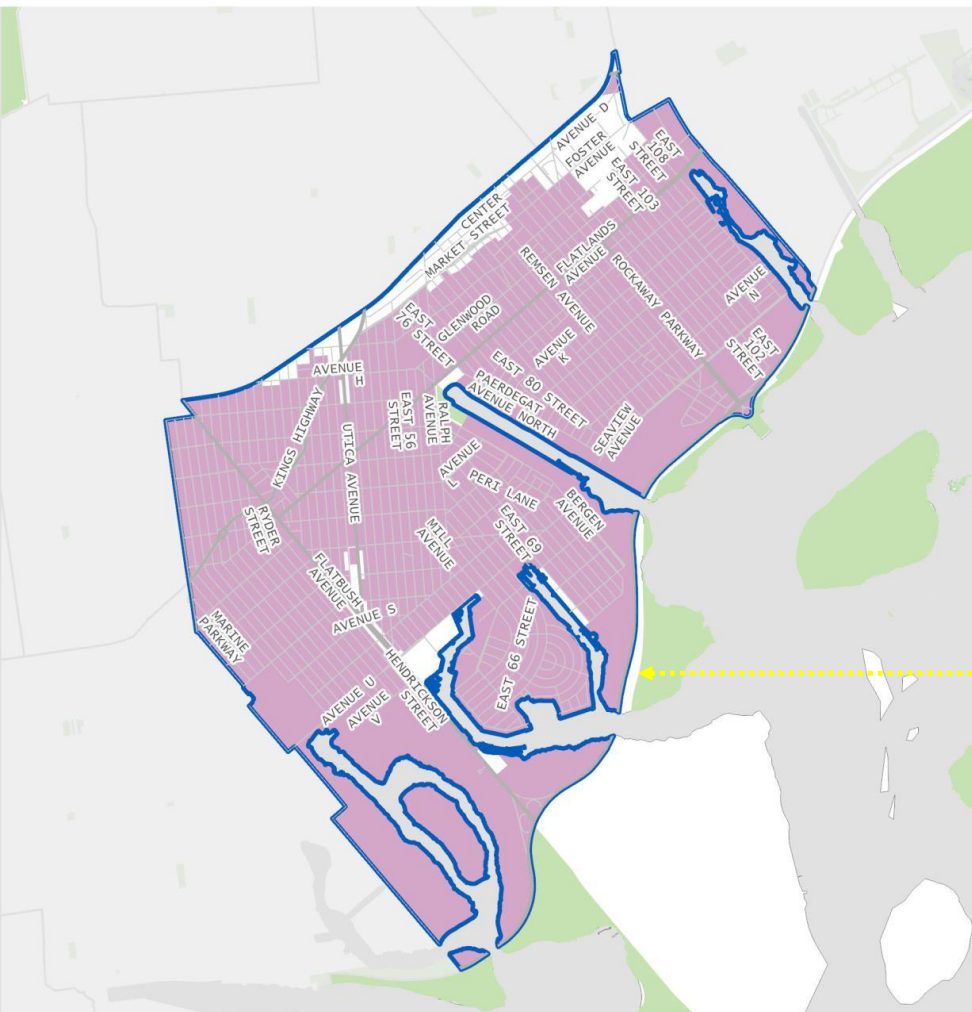
Proposal: Extend existing “adaptive reuse” regulations to more parts of the city and to more buildings, including vacant offices

- Today, many existing buildings built after 1961 or located outside of major office centers cannot convert into housing

Making it easier to convert non-residential buildings can deliver much-needed homes to New Yorkers



Conversion Eligibility Map

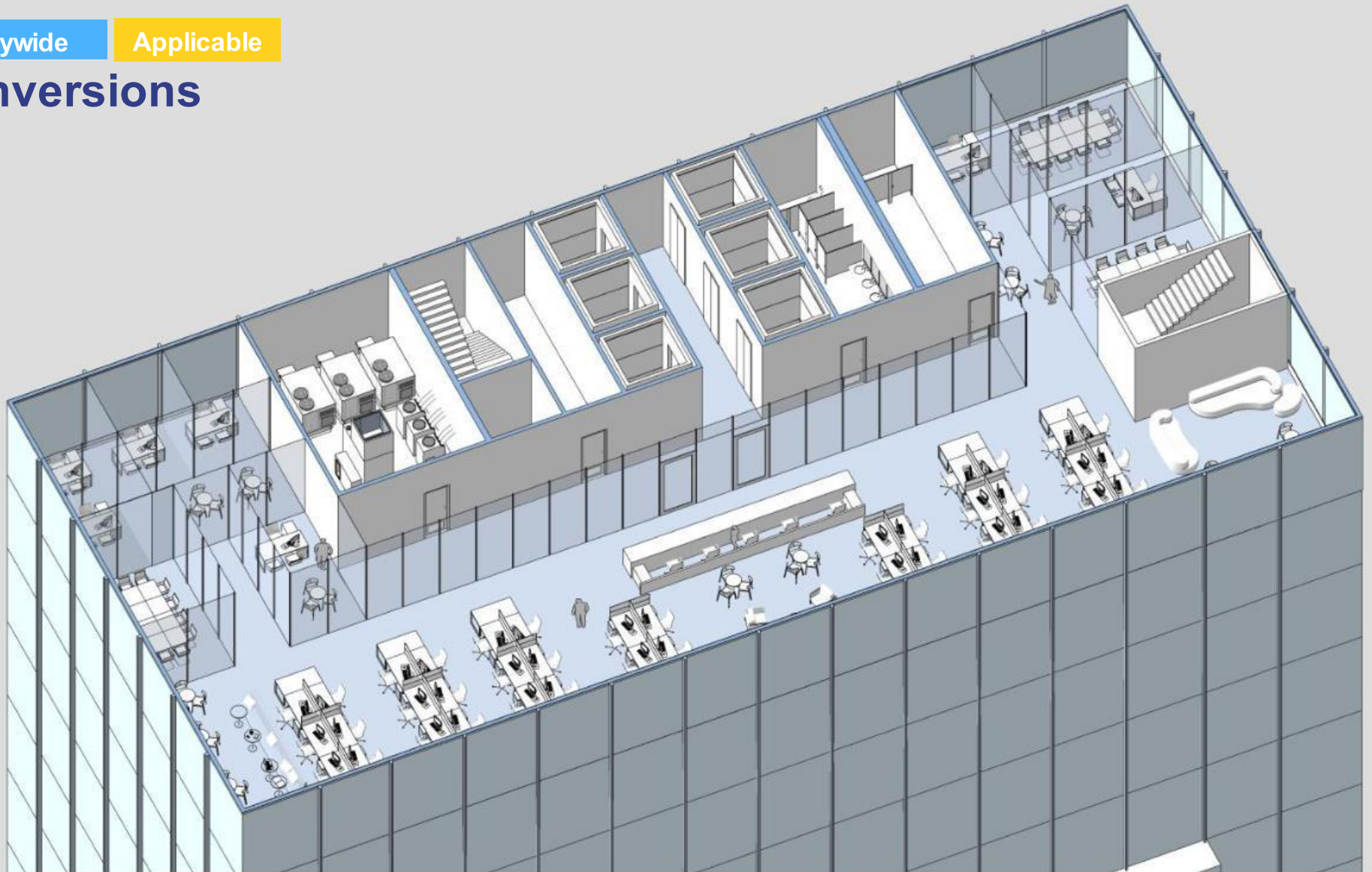


-  Community District
-  Current eligible geography
-  Proposed eligible geography

Citywide

Applicable

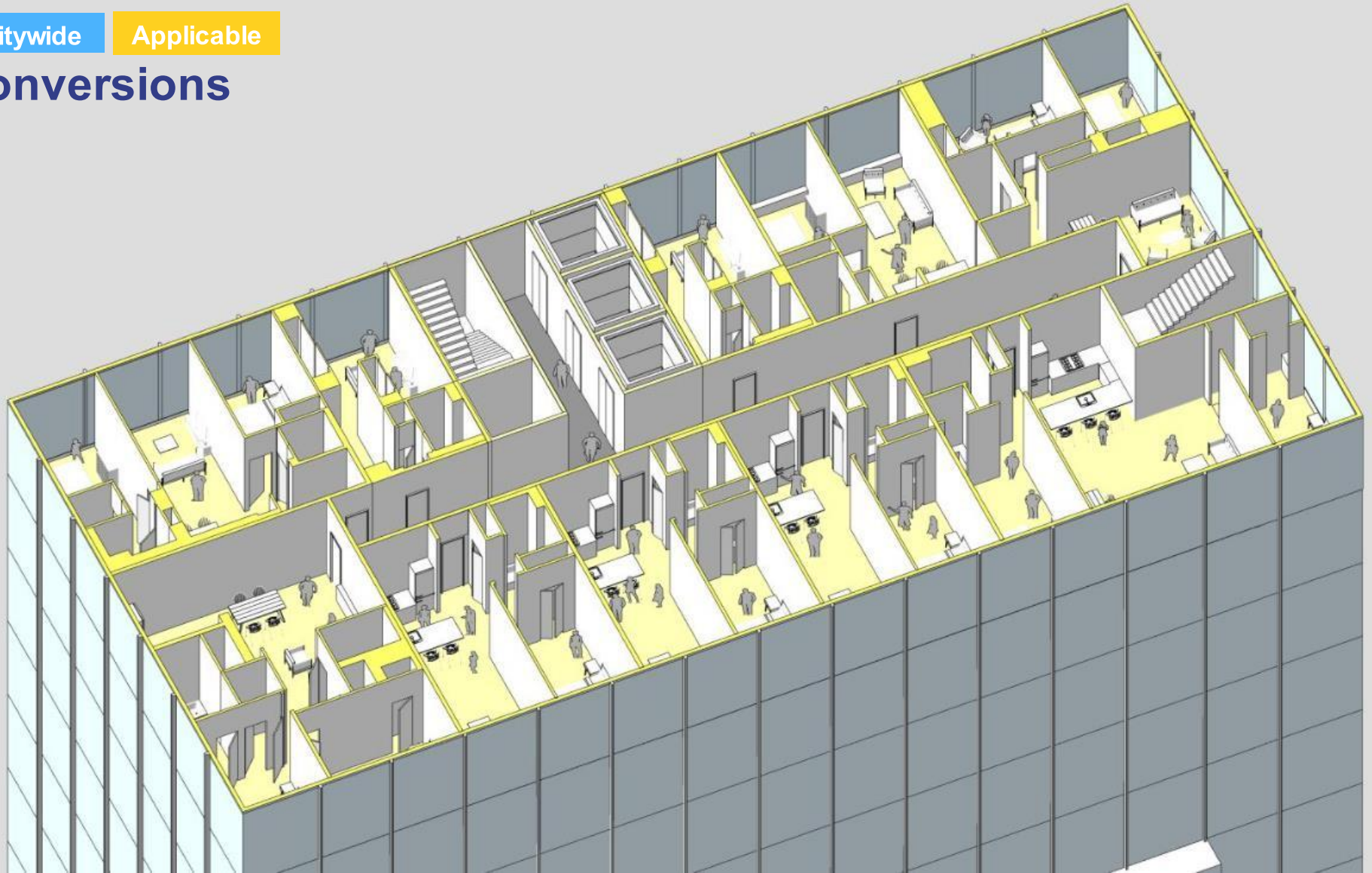
Conversions



Citywide

Applicable

Conversions



Overview

Zoning 101

Example: 3401 Avenue I

R6

Type

R **C** **M**

Uses or activity

Density

1-10

Bulk, Height, Massing or SIZE and SHAPE

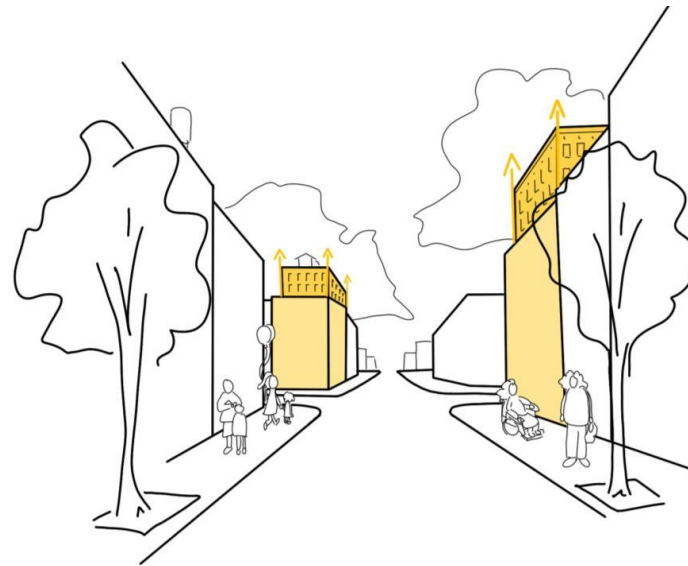


Low-Density Non-Contextual Residence District

R4		Lot Area	Lot Width	Front Yard	Rear Yard	Side Yards			Lot Coverage	FAR	Perimeter Wall/ Building Height	DU Factor	Required Parking	
		min.	min.	min.	min.	#	Each	Total	max.	max.	max.		Standard	IRHU
Single- and Two-Family	Detached	3,800 sf	40 ft			2	5 ft	13 ft	45%	0.75	25/35 ft	870	1 per DU	50% of IRHU
	Semi-Detached	1,700 sf	18 ft	10 ft	30 ft	1	8 ft	8 ft						
Multi-Family	Attached						n/a							
	All					2	8 ft	16 ft						

Proposal overview

Medium-density proposals to allow for missing middle housing



Create a **Universal Affordability Preference** in all medium- and high-density areas + **Updates to MIH**

Medium- and high-density areas

Applicable

Universal Affordability Preference*

Create a Universal Affordability Preference that allows buildings to add ~20% more housing if the additional units are permanently affordable or supportive housing

- Market-rate FARs would not change
- Affordable senior housing already receives a preferential FAR, and UAP would extend that preference to all forms of affordable and supportive housing
- In districts without this preference, give a 20% bump for affordable and supportive housing

UAP will function like inclusionary housing everywhere in medium- and high-density areas



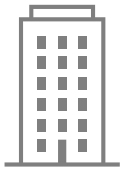
Medium- and high-density areas

Applicable

Universal Affordability Preference*

Voluntary Inclusionary Housing (VIH)
80% AMI with no income averaging

What this meant for New Yorkers:



- All income-restricted units in a VIH building were 80% AMI (\$111,840 for a family of 3)

Universal Affordability Preference (UAP)
60% AMI with income averaging

What this means for New Yorkers:

Homes at a mix of incomes to reach 60% AMI, including more deeply affordable units

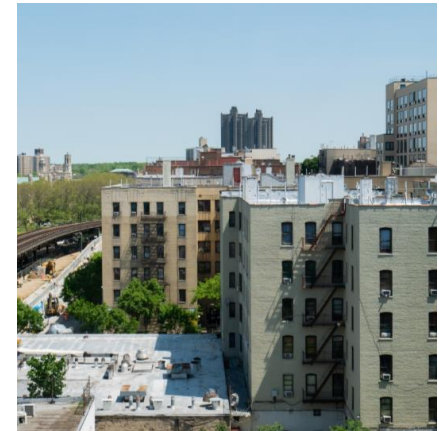
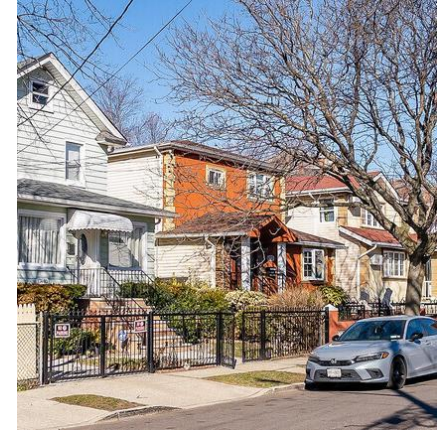
For example, a UAP building could include:



- 30% AMI (\$41,940 for a family of 3)
- 60% AMI (\$83,330 for a family of 3)
- 90% AMI (\$125,820 for a family of 3)

How will these changes address our housing needs?

- **A little more housing** in every neighborhood and **more housing types** for the full range of New Yorkers
- Significantly **more affordable housing**
- **Less pressure on gentrifying neighborhoods** and areas hit hardest by the housing shortage and exclusionary zoning
- **Ending exclusionary zoning** in low-density areas
- **Accessory dwelling units** will support homeowners and multigenerational families
- More **sustainable** transit-oriented development and more housing in America's least carbon-intensive city

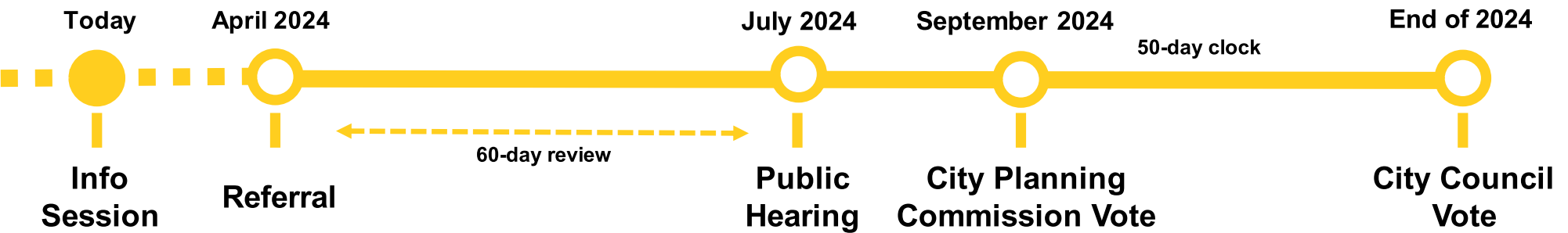




City of Yes for Housing Opportunity

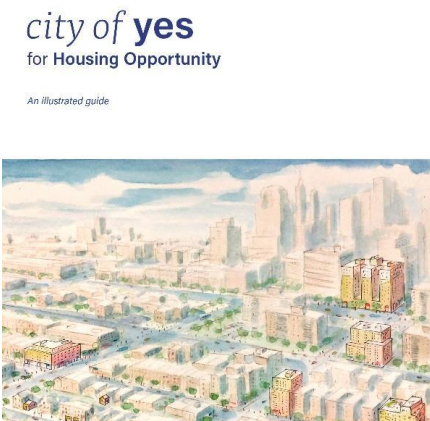
Stay in touch!

Email the project team at **HousingOpportunity@planning.nyc.gov** with questions, concerns, and to be signed up for email alerts on this project.



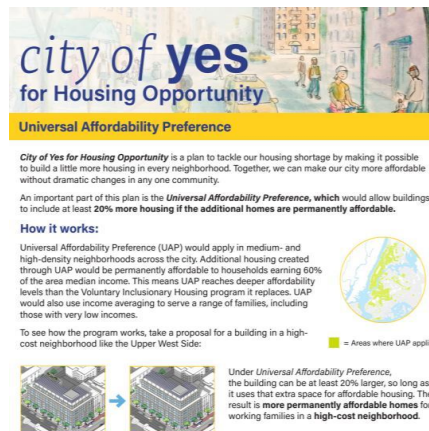
Approximate schedule of public review, for illustrative purposes only

Materials to understand the proposal



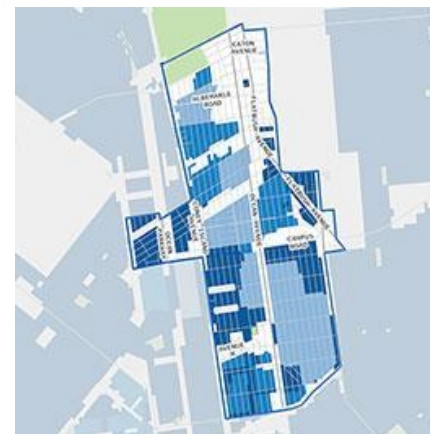
Illustrated guide

Provides detailed information about the proposals with technical illustrations



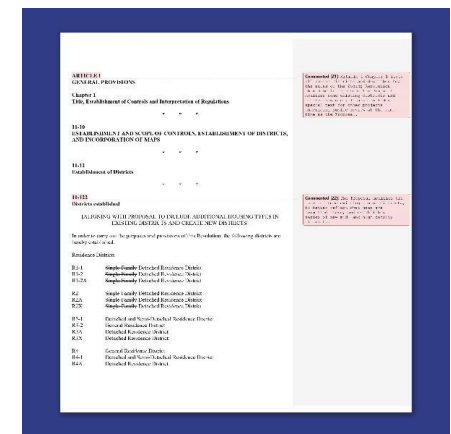
One-pagers

Succinct overviews of different proposals elements



Applicability maps

Maps showing how proposal applies in each Community Board



Annotated zoning text

Explanatory notes and descriptions of proposed text

city of diversity
city of affordability
city of neighbors
city of housing opportunity
city of families

Questions?

Visit this [link](#), or e-mail:

KCuevas@planning.nyc.gov



Appendix

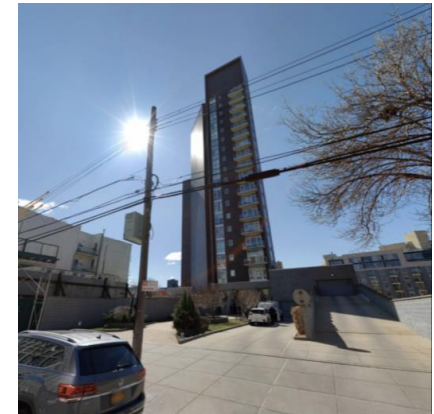
Allow contextual infill on challenged sites

Outdated zoning requires out-of-context buildings

- Today, many irregular lots and lots with existing buildings can only build tall and skinny buildings
- “Height Factor” zoning from the Urban Renewal era bans contextual, height-limited development

Proposed changes include:

- Allow contextual development on these sites
- Align distance-between-buildings regulations with state law (40’ below a height of 125’ and 80’ above)
- Protect open space with:
 - Flexible envelopes for large sites (>20k sf)
 - New lot coverage maximum for sites above 1.5 acres – 50% instead of underlying 80%



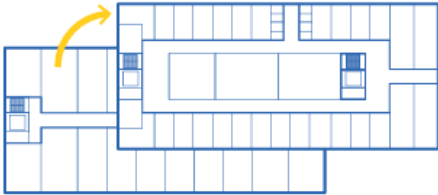
All image © 2024 cyclomedia.com.

Citywide

Applicable

Zoning for small and shared apartments*

Remove outdated rules preventing studio apartments and homes with private bedrooms but shared kitchens or common facilities



Historical Context

Shared housing was once permitted in NYC, but became restricted in modern zoning policy



Large Family Units

Allowing the construction of buildings with small and shared apartments would ease the pressure on large family units



Dwelling Unit Factor

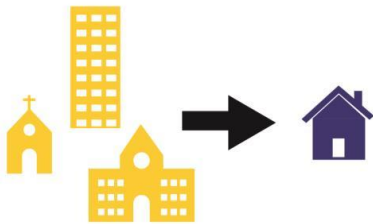
Remove and reduce the DUF in the Greater Transit Zone to create housing in areas with transit accessibility

Citywide

Applicable

Zoning changes for conversions

Enabling the conversion of non-residential buildings involves a few key changes to adaptive reuse regulations:



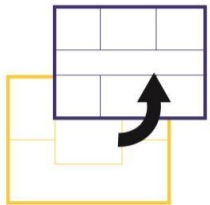
Eligible Geography

Conversions would be permitted throughout the entire city, as opposed to central office districts



Eligibility Date

Permitted conversions would be shifted from buildings built prior to 1977 to 1990, allowing more recent buildings to convert



All Types of Housing

Conversions would include all types of housing, like supportive housing, shared housing and dormitories

Medium- and high-density areas

Applicable

Universal Affordability Preference*

Example: A church in an R6 district wants to partner with a developer to rebuild the church and put housing on top

Today: The site is limited to **3.0 FAR**, which results in about **35 units**

Proposal: If affordable and supportive housing got **3.9 FAR** like AIRS, the site could get **10-12 more units** as long as anything above 3.0 FAR is permanently affordable



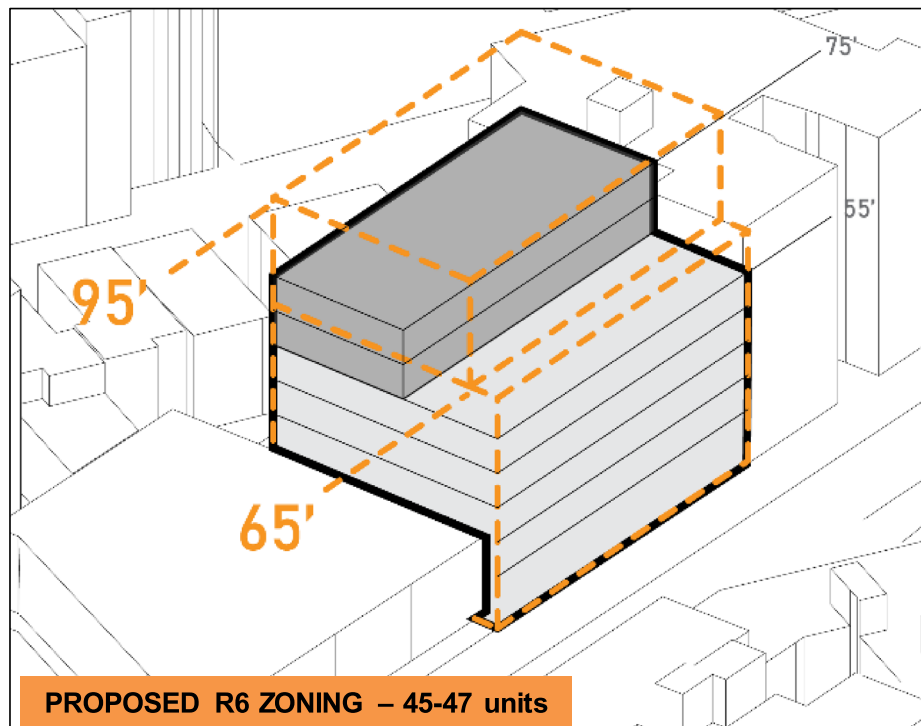
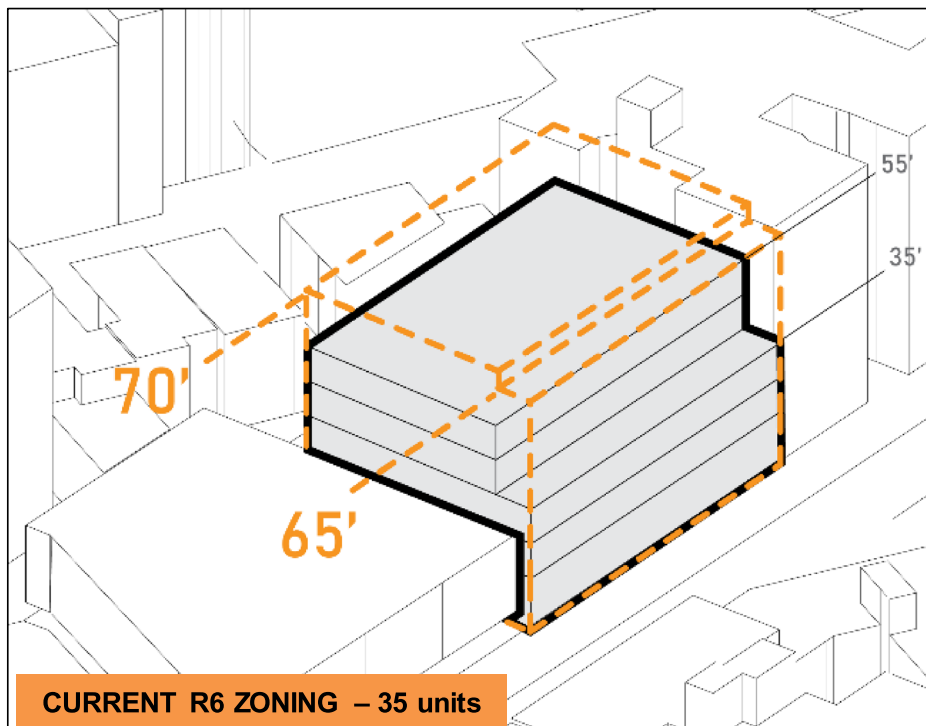
Medium- and high-density areas

Applicable

Universal Affordability Preference



Universal Affordability Preference Example



If UAP had been in place since 2014, an **additional 20,000 income-restricted affordable homes** could have been created – enough to house 50,000 New Yorkers

Medium- and high-density areas

Updates to Mandatory Inclusionary Housing

Allow MIH Option 3 to be a standalone option

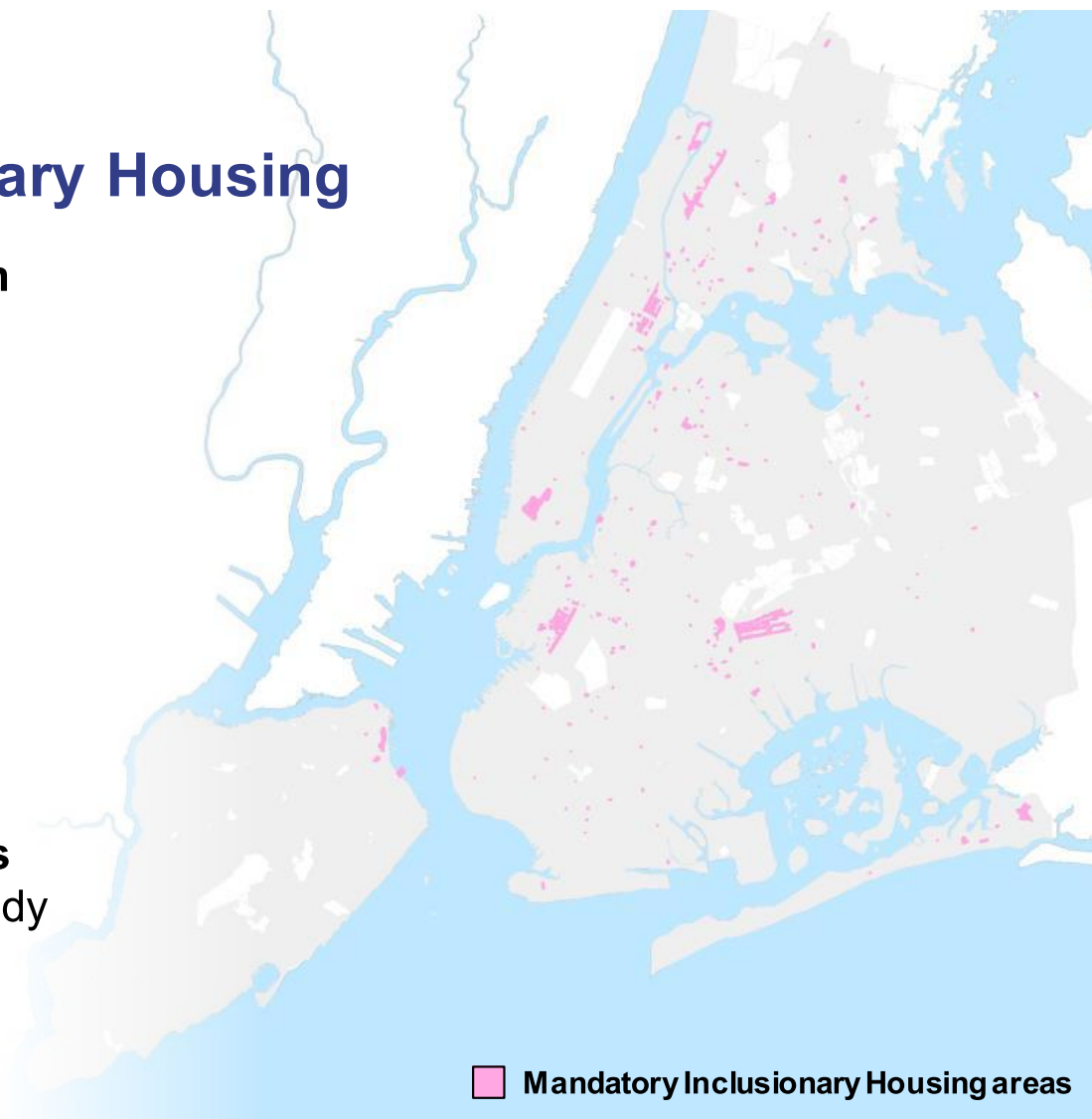
- MIH Option 3 requires a 20% set-aside at an average of 40% AMI
- Requested by the Speaker, members of City Council, and many housing advocates

Equalize MIH FARs for districts where UAP FAR is higher

- Ex: R6A MIH will change from 3.6 to 3.9 FAR
- MIH Options will stay the same

Streamline rules for 100% affordable projects

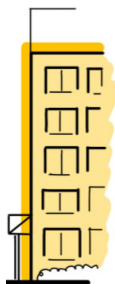
- Reduces conflicts with term sheets and subsidy programs
- Facilitates affordable homeownership



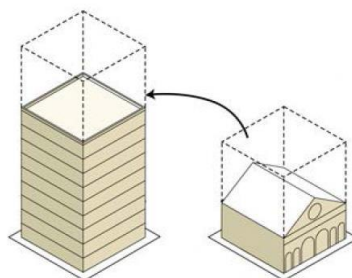
■ Mandatory Inclusionary Housing areas

Proposal overview

Miscellaneous proposals to allow for housing flexibility



Elimination of **the Sliver Law** to permit taller residential buildings



Expansion of the **Landmark Transferrable Development Rights** will generate new housing opportunities



Modification of the **Railroad Right-of-Way** special permit

Citywide

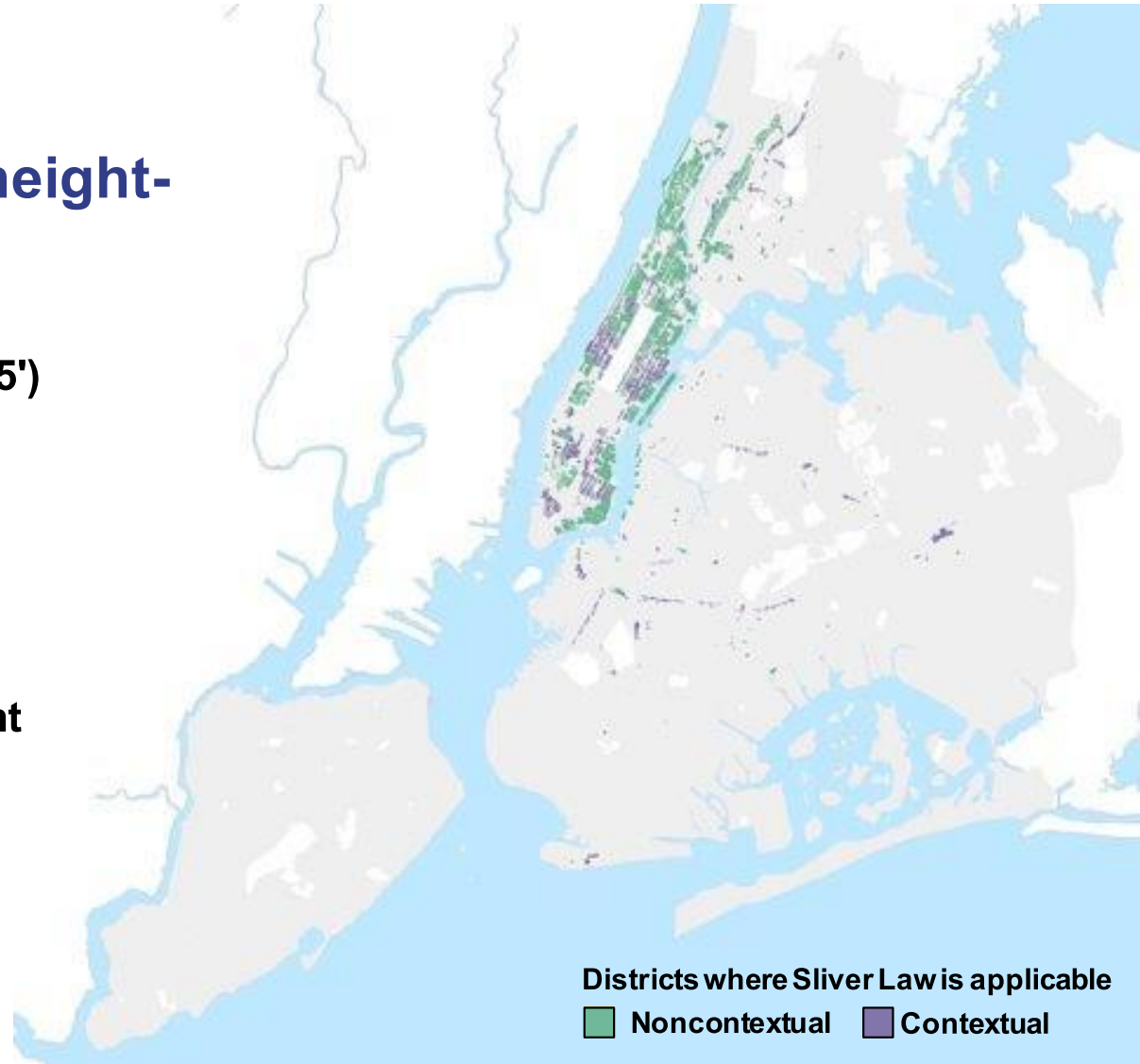
Replace the Sliver Law with height-limited contextual envelopes

The Sliver Law dates to the 1980s and imposed height limits on narrow lots (>45') before height limits existed in zoning

- Today, all districts either include height limits or allow a height-limited option

The proposal would allow these height limits to control the building's max height

- The Sliver Law would continue to apply when other height limits do not

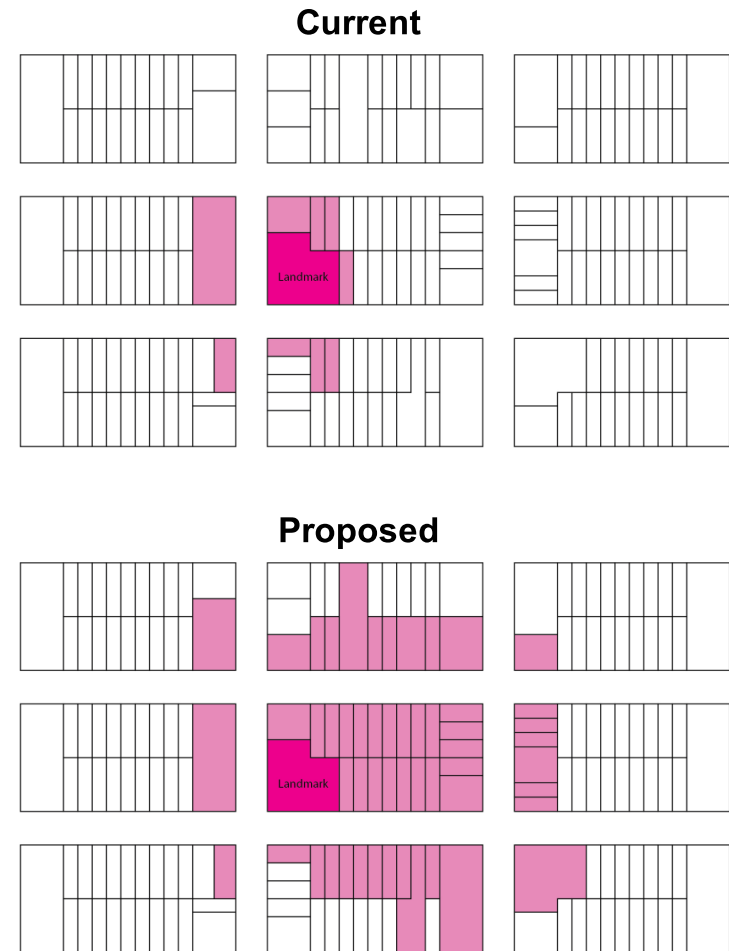


Expand the Landmark TDR program

Loosen restrictions on the ability of designated landmarks to transfer development rights to zoning lots in the immediate vicinity

- Extend existing transfer opportunities to zoning lots on the same zoning block as the landmark or across a street or intersection
- Streamline the approval process
- Expand the program to historic districts and lower density areas

This will help landmarks fund necessary maintenance requirements while also generating new housing opportunities



Clarify and simplify the Railroad Right-of-Way Special Permit

The Railroad Right-of-Way Special Permit is confusing and involves extensive cost and process burdens

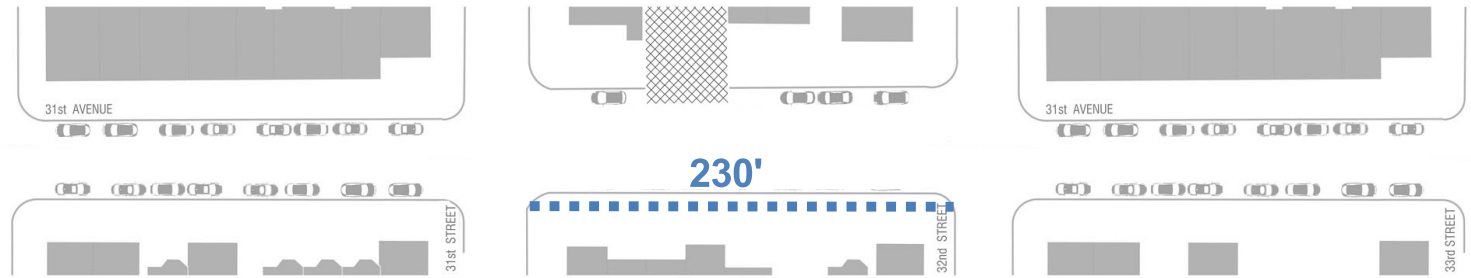
- This proposal would create clear definitions and reduce approval procedures to streamline process while protecting the original planning goals of the special permit



Definitions

Short End of the Block

Short Dimension of a block shall be a block frontage measuring less than 230 feet in length between two intersecting streets



Height Factor Building

A building in R6-R9 without a letter suffix utilizing the alternative bulk regulations set forth in Section 23-70. Buildings can utilize optional sky exposure plane regulations to govern height and setback, all provisions for height factor buildings - including alternative floor area ratio and minimum open space ratio regulations